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1989 EVENTS IN PANAMA

JOINT HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES

AND THE

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

OCTOBER 6 AND 17; DECEMBER 22, 1989

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1989 EVENTS IN PANAMA

FRIDAY, OCTOBER 6, 1989

U.S. SENATE,
COMMITTEE ON ARMED SERVICES AND THE
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The committees met in executive session, pursuant to notice, at 10:08 a.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (chairman of the Committee on Armed Services) presiding.

Members present from the Armed Services Committee: Senators Nunn, Exon, Levin, Kennedy, Bingaman, Glenn, Shelby, Warner, Thurmond, Cohen, Wallop, and Lott.

Members present from the Select Committee on Intelligence: Senators Boren, Bradley, and Specter.

Committee staff members present: Arnold L. Punaro, staff director; Richard D. DeBobes, counsel; Marie Fabrizio Dickinson, assistant chief clerk; Lucia M. Chavez, security control officer.

Professional staff member present: Richard D. Finn, Jr.

Minority staff members present: Patrick A. Tucker, minority staff director and counsel; Romie L. Browniee, deputy staff director for the minority.

OPENING STATEMENT OF SENATOR SAM NUNN, CHAIRMAN

Chairman NUNN. Good morning, Mr. Secretary and General Powell. The committee meets this morning in a joint hearing with the Select Committee on Intelligence to receive testimony from the Secretary of Defense, Dick Cheney, and the Chairman of the Joint Chiefs of Staff, Gen. Colin Powell, on the events in Panama.

I welcome both of you here this morning. We appreciate your coming on such short notice. We are all very interested in knowing exactly what happened over the weekend during the course of the failed attempt to unseat General Noriega. There are also a number of questions as to exactly what our policy is with respect to such attempts.

The President has clearly announced that the United States is in favor of the overthrow of Noriega. It is unclear to me, however, what the policy is in terms of what the United States will do if we get a request for assistance and what our contingency plans are.

Before we get into questions this morning, I would like to give our witnesses a chance to give us a chronological narrative as to what happened from the time of the first receipt of information that an attempt to overthrow General Noriega was in progress, to the time it was clear the attempt had failed.

I am going to try to have no questions, and I will make an exception only if people need to clarify a point that has just been made. Let us not leap ahead, because a lot of these questions will be answered as they go through and then we will come back and have a rule where everyone can ask questions.

Since we are at the Top Secret/Codeword level, I would ask our witnesses to underscore the information they consider to be most sensitive. As all of us know, when it gets to this stage and there are articles all over the paper and TV and accusations are floating around, it is almost impossible to decide what is still classified. I would ask the staff, General Kelly and others, before this hearing concludes, to point out to us whatever you believe remains very sensitive, particularly relating to sources and methods.

It seems to me the facts here are not the question. The question is whether there are any facts here that we might reveal that would lead to sources and methods. So I would ask that you point out those sensitive areas. I think all of these facts are going to come out one way or another, and half of them are already out—probably three-fourths of them.

Since we have two committees, we are going to have to use the early bird rule and we will do that without respect to who is on what committee this morning. I do not know of a more fair way to do it.

Before we get into the testimony, I would certainly want to hear from Senator Warner, Senator Cohen, and Senator Boren. But I would like to go through this lead story in the New York Times briefly—I am not going to read the whole thing—so that our witnesses and all of us here can understand at least from our perspective just how jumbled these facts have become. Just a few highlights from the story by Steven Engelberg.

"A senior administration official said today the American military had played a greater role in the Panamanian uprising than it previously acknowledged." That is point one.

Point two that I would say in this story: One important new disclosure was that "2 days after President Bush declared publicly that the coup was not an American operation, administration officials said the U.S. Army troops in Panama had moved at the request of rebels to block two routes the rebels suspected would be used by forces loyal to the General. In earlier reports of the roadblock, American officials had said the intention was merely to protect American lives and property."

Of course, if that were true, that would conflict with what we heard before, that there never was an actual implementation of any blocking.

The third point that I would point out in the story: "White House officials said they lacked sufficient procedures to manage the fast-moving crisis. They noted at no time did all national security officials meet in one place to discuss strategy."

The next point: "This official said the rebels had told military officers in the Army Southern Command that they won't turn General Noriega over. This was accurately relayed to Pentagon officials in Washington. Meanwhile, the Southern Command told the Embassy in Panama of this information, which was misunderstood as their suggesting that the rebels wanted to turn him over." That

conflicts, in terms of where all that came from, with what we have heard.

"One official attributed the confusion to the fact that most of the communications among American officials were by telephone and connections were poor because Noriega loyalists intermittently interfered with the lines." I would certainly think we had some secure communications down there.

"A few hours later, CIA representatives were in Congress briefing members of congressional intelligence committees with the Agency's version of events, which was that the rebels were prepared to hand over General Noriega." I was in all the Senate intelligence briefings and I never heard them say that. The first time we heard that was last night when they told us there was a garbled message that lasted an hour or two and then they put it to rest.

Here we have a New York Times story saying that the intelligence committees were briefed by CIA, which would have had to have been on Wednesday. Senator Cohen may remember it differently, but that is totally contrary.

The next point. "According to Mr. Cheney, senior American officials had been prepared on Sunday to put American forces into position to cut the two roads, but did not decide to go ahead until Monday." My understanding was we never decided to go ahead. Again, I do not know what is right.

"Early Tuesday, American forces moved into position at Fort Amador and Howard Air Force Base. The coup began at 7 a.m. Panamanian time, and the Fifth Company at Fort Amador made no move to mobilize their forces until 11 a.m. The U.S. Army blocked the Amador gates." I never heard we blocked the gates.

And then it goes on. "Mr. Helms insisted that in a conversation at 9 a.m., the rebels invited the Americans to take General Noriega off their hands. At 9:30, Senator Helms said he received a call from Panamanian opposition officials who wanted Washington to block the roads from Tocumen Airport to General Headquarters."

I just read this article as a prelude, and I hope that all of these points I mentioned will be covered. We will have to come back and ask questions on them, but I think this does show—and I know Senator Warner has been in on these hearings, and Senator Cohen, and we have had meetings in the Intelligence Committee; this is the first meeting we have had for Armed Services—it shows the degree of confusion about the facts. I hope that we will be able to put these facts to rest this morning.

I would like to know what is sensitive before we get through—I have talked to Senator Boren about this, and what I would like to do is have a joint factual presentation by both the Armed Services Committee and the Intelligence Committee, if we can agree on the facts, so that we can put out what we believe to be accurate. We will wait and see if we are able to do that after this hearing.

Senator Cohen and then Senator Warner.

Senator COHEN. Mr. Chairman, I do not have a statement to make. I think it is important that we clarify what occurred factually. We have had several briefings, two briefings, the other day from Secretary Cheney and General Powell, and I believe that they represented the facts as they knew them at that time.

I was on a program the other evening where I was suddenly confronted on the air with the charge that there had been a specific request for the United States to provide a helicopter to extract Noriega, which was inconsistent with anything we had been told, and I think it is important we try to go through factually and analyze this.

My personal judgment, Mr. Chairman, is it really is a question of policy options available or the policy that has been adopted. It is my understanding it is a policy of not using force to remove Noriega from office, and one of the problems we have under those circumstances is one of an inconsistent policy down there.

On the one hand, we are encouraging them to revolt and to rebel, to overthrow, with perhaps some implied understanding that we will be there in the wings waiting to help, if necessary. Then when a revolt occurs we have a policy of not helping. That is part of the confusion in terms of what are the directions that we are going to give to our people on the ground. I think that is what produces the inaction and confusion.

Before any of us go out and start condemning and criticizing, I think it is important that we find out exactly what occurred and proceed from there.

Chairman NUNN. I agree. Senator Warner.

Senator WARNER. Mr. Chairman, just the ground rules for this morning's hearing. We have Secretary Cheney, who is well familiar with the way we do business up here. Might I suggest that those pieces of information which either of you feel must remain in a classified status that you would so designate at the time you provide it; otherwise, I do not know how we are going to sort it out for the public.

One of the main reasons of this hearing, as I understand the chairman and members of the Intelligence Committee, is to provide for the public our interpretation and hopefully reinforce the actions of the President of the United States and his subordinate commanders.

Chairman NUNN. I would ask them to do so where it is apparent, but I think it is awfully hard for witnesses to do that. If they choose to, I would be delighted, and I would ask some of the staff backing them up to be prepared, perhaps right after the chronology is given, to tell us what information would lead to sources and methods.

I think it is apparent right now that we are not going to be able to keep facts secret. One of the purposes of this meeting is to take some of the facts that are out there and try to clarify them. What I would like to do is put out a factual summary of what really happened, but leave out those items or carefully handle those items that truly would lead to interruption of ongoing intelligence.

That is a challenge, and I certainly agree with Senator Warner that if the witnesses know at the time that their information is very sensitive they can go ahead and tell us, but if not, I think their staff can help out at the conclusion of this initial testimony.

Senator Boren.

Chairman BOREN. I really do not have any comments. Except to say that over and over again for the last 2 years—and I think we can bring in the transcripts of the Intelligence Committee hear-

ings—when I and others have voted in support of our program, in support of providing funds for the Panamanian program, the question has been asked in every single meeting. Are we prepared to follow through?

[Deleted.]

If we are not prepared to follow through, we should not start something. That could not have been more clear. I have always assumed, and I would never have voted for it had I not assumed, that we were prepared and had a policy of being prepared, to use whatever military force was necessary at that time to see to it that we succeeded.

Senator Cohen said it a different way in our committee. He said, I am very hesitant to support these things because I do not believe that the administration would ever have the willingness to follow through to see these people succeed. So I am very disturbed.

We heard last night—and I hope you will address this in your testimony—from intelligence officials that they received instructions that [deleted] talk with Major Giroldi directly when he came to tell them about the coup and then later, of course, his wife talked with our personnel a couple of times. But their instructions were only to listen, to only take information, not to aggressively ask questions, not to give suggestions, not to give advice, so that if the Major had any plans that seemed to be lacking in detail they were not to give advice. They were not to give answers to the request of the Major for the blocking of certain roads and bridges.

I kept asking, well, who is the "they" that gave this policy guidance. We never got an answer to that. So I wonder who is the "they." Who gave the policy guidance that our people on the ground were not to aggressively pursue getting more information and not to aggressively give advice or suggestions, to insist upon setting up a channel of communication with which to provide advice and critical information.

Apparently we got back to Mrs. Giroldi with an answer that she should come on the base. Why did we not get back to the Major with an answer as to whether or not the roads would be blocked?

The second point that was made clear last night is that we first learned that General Noriega was likely in the Commandancia at 10:05 a.m., rather than at 12:30, as has been said in public statements, and that we had a growing knowledge of that fact. I would like to know when were you confident of Noriega's whereabouts?

Finally, I would like to know when did you know that reinforcements were on the way. When did you know that reinforcements were on the way from pro-Noriega forces and was there any attempt made, whatsoever, either in the 12:30 conversation with General Cisneros, with the two rebel representatives and their three associates, or were there any attempts or any other way of sending someone over to the area where they were holding Noriega—any attempt whatsoever, by courier, by any other means of communications, to try to get word to them that these planes had taken off and that indeed reinforcements were under way.

While we had such information, I wonder if we even attempted to let the rebel forces know that there were pro-Noriega forces on the way. These are the kinds of things that I would be interested in focusing on, and specifically who made these policy decisions. If

they were not told, who made the decision not to tell them? I think we really need to fix responsibility here, because all we have heard were the mysterious "they" told us not to aggressively pursue this but to only sit back in a benign way and listen.

That is my interest, because I think our lack of action is immoral. We have some people dead now. They have been denigrated. They have been called names. No one that I have seen has even expressed sympathy for them. The Major has been called a Noriega crony. That is all that has been said about him. There has never been any evidence he participated in any corruption. I have not even heard any regret expressed that the man is dead, dead because he did what we have been enticing him to do.

As an American I feel ashamed. I want to know who is responsible and why.

Senator GLENN. Sam, could I ask a question? I am not clear here on the classification of this meeting. The meeting is classified Top Secret/Codeword. We are supposed to be briefed on the details of the attempted coup, and after this meeting you say we are going to release the information to the public?

Chairman NUNN. We are not going to release any classified information to the public.

Senator GLENN. But that was what I understood you to say. I want free and frank discussions during this meeting. If we ask the briefers to distinguish while they are briefing us between information which is classified and information which is not classified, in order to enable us to immediately release it to the public, once the meeting is over, I believe is an invitation for them not to give us the information.

Chairman NUNN. John, I believe there has been a misunderstanding here. Senator Boren and I would like to put together an unclassified chronology of events that took place, based on information that both the SASC and SSCI have learned regarding the events that took place. I have no intention of releasing the classified record of these meetings to the public. We are not going to release any classified record or chronology of events learned through these meetings until it goes through the declassification process.

Senator GLENN. I just want to ensure that we get the full story. I don't want them to be hesitant about putting out information that is classified during this meeting that may endanger people if they believe that we are going to release that information at a press conference.

Chairman NUNN. The purpose of this hearing today is to get the information on the details of the attempted coup in Panama, classified and unclassified. Afterwards, Senator Boren and I will have the staff work on an unclassified chronology of the events that took place in Panama. However, when the hearing is over and we walk out of this meeting we will be faced with the news media, who expect us to make comments. There are reports in the Washington Post and New York Times regarding details of the coup that I believe to be erroneous, and about which we will be asked to comment on based on what we have learned today. I want to make sure that we don't make comments regarding details that we have learned from this meeting that are of a classified nature. It is impossible for me to issue a muzzle rule. I cannot expect members to

walk out of this meeting and not make any comment as to what they have learned. I want to make sure we have a clear understanding of what it is that can be said, what information we have learned today that is unclassified.

Senator GLENN. I just want to ensure that we get the full details, that the witnesses are not inhibited from engaging in a free, frank, and open discussion of exactly what went on in Panama, because they know that we are stepping out into a press conference after this meeting is over and will feel compelled to discuss information that we have just learned.

Senator WARNER. John, we have an unusual situation where there are certain Members of the Senate now—some on both sides—speaking out rather vehemently on this subject and they have captured the public attention. These two committees are given the trust and confidence of our colleagues to assess situations like this.

I think it is important for us publicly and internationally to have a balanced assessment coming from these two committees. Somewhere therein we have to strike a balance, and I think all of us have been here long enough, certainly on these two committees, to handle this in a propitious manner.

Senator KENNEDY. I would make this statement. I hope what John is saying is that we will get more here than we get in the general briefings. In the 28 years that I have been here I have learned more on the nightly news than I have learned in Republican and Democratic briefings here, and it is absolutely useless, because if you do learn something out there you just want to make sure that you do not go to the briefings, because there may be some way that you are contaminated.

I hope we are getting more, Mr. Chairman. One other point, I am interested not only in the facts but in the crisis managment aspects of it. I mean, we would have to look at Panama over some period of time as being an area which is possibly flammable. Maybe this is not the time or the hearing, but what was the planning or the program, what was the thinking up to this time and how did that particular mechanism work given these kinds of impacts.

What is the assessment, what did we learn that can be applicable down the road? I am not interested in where we are going to go. I mean, there should be accountability and responsibility for whatever actions were taken here. But I would hope that at some time there can be at least lessons learned on how we are going to proceed down the way into the future.

Perhaps that is not subject to this particular.

Chairman NUNN. I think it is very relevant to this. What I would like to do now is go to the witnesses.

Senator EXON. Mr. Chairman, could we please proceed? I think we all have ideas on this. I am very anxious to hear from the Secretary and the General. If I think they are telling me things that I have heard before or if I think they are not being straightforward with me, which I hope they will be, I am not going to leave this room and say they did not tell me anything or they did tell me anything.

I want to know what is going on and I think that is why all of us are here.

Chairman NUNN. Unless you all want to stop and take a vote, let me make the decision. I would ask General Kelly and the other intelligence people, when we get through with the chronology and before we start asking questions, to tell us what would lead to sources and methods, what is sensitive in that respect so we will all know.

If the witnesses would like to do that as we go along, I would invite them to do it.

Mr. Secretary.

STATEMENT OF HON. RICHARD CHENEY, SECRETARY OF DEFENSE, ACCOMPANIED BY DAVID GRIBBIN, ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS; THOMAS CARTER, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS (SENATE); AND REAR ADM. WILLIAM OWENS, SR., MILITARY ASSISTANT TO THE SECRETARY OF DEFENSE

Secretary CHENEY. Thank you, Mr. Chairman. I am not sure what the ground rules are. This is Top Secret/Codeword. We can say anything we want and you guys will safeguard the security of what we provide you is my understanding.

Chairman NUNN. That is right, Mr. Secretary, but again this is the world of reality. You were on MacNeil-Lehrer last night and we heard you on MacNeil-Lehrer last night. If you say the same thing today as you said on MacNeil-Lehrer last night, that will not be considered as Top Secret/Codeword. I am not going to have everybody on this committee muzzled so that we cannot even walk out of here and open our mouths.

So what somebody in the administration has to do is tell us what is still classified. That is what we have to have. But we have to know everything.

Secretary CHENEY. Senator, with all due respect, we have briefed ourselves silly for the last couple of days on the matter. Every single Member of the U.S. Senate, every single Member of the U.S. House was invited to the briefing Wednesday afternoon, which Colin Powell and I provided, the Chairman of the Joint Chiefs, both in the House and the Senate.

I met with you and with Senator Cohen and with Senator Warner the first thing Wednesday morning, within less than 24 hours after these events concluded. Senator Boren was invited to the briefing but did not show up.

Chairman BOREN. I was in Oklahoma City. I do not appreciate that comment.

Secretary CHENEY. There was no effort on the part of anybody in the administration to deny any information to anybody in the U.S. Congress. One of the reasons I think there is as much confusion out there as there is is because in fact we are still getting information coming in. As we sit here this morning we continue to learn more details about what exactly transpired in Panama. That is the nature of the beast. We are watching it unfold in real time.

Now the briefing we are going to give you this morning is going to be very close to the briefings we gave you before. Senator Kennedy was there the other night and heard it. There are some addi-

tional details that we can fill in as we go on, but the basic story remains the same.

What I would propose to do is make a couple of statements about the overall approach we took and then turn it over to the Chairman to allow him to sort of walk through the chronology, and then we will be happy to take your questions.

Chairman NUNN. That will be fine.

Secretary CHENEY. Thank you.

I think the factors that predominated in our thinking about this as we became aware of the possibility of a coup that I would emphasize was the fact that we had serious doubts about whether or not this was a legitimate coup attempt or whether it was an effort by General Noriega to seek to involve the United States in ways that would be embarrassing by sucking us into coup-plotting with someone who was a Noriega crony—a confidant, somebody who controlled the 4th Infantry Company that provided security for PDF headquarters.

That was an important consideration throughout. That was reinforced when on Monday the coup that had been purported did not occur and as we learned more about the major who was behind it.

Another major item I think that affected our judgments and decisions was the fact that we did not know for certain where Mr. Noriega was when the coup began. We had conflicting reports. [Deleted.] We also had information from our original contact with the coup-plotter on Sunday night, when he informed us that it was not his intention to capture General Noriega, that in fact it was his plan to undertake the coup when he was not present.

So there was doubt about the presence of Noriega in the Comandancia until, as the coup unfolded, during the course of the day more and more information came in that indicated to us that Noriega was in fact held by the coup-plotters.

A fourth key item that has never changed was the fact that the coup-plotters had no interest in turning him over to us, that in the one contact we had with them after the coup got under way—the contact between General Cisneros and two officers representing the rebels—they made it clear to us that they did not plan to turn Noriega over to us, that they did not want to see him extradited, et cetera; they expected to have him retire quietly, with dignity, in Panama.

In light of the uncertainty that prevailed at the time, in light of what we knew about the events that were unfolding, the prospect of committing U.S. military forces into a combat situation did not make any sense. We were indeed positioned to be able to do that. We had, as prudent individuals, on Monday evening, [deleted] we had forces in position—some of them as a result of already-scheduled exercises, some of them as a result of the information that we had picked up here—to do what the coup-plotters had asked us to do.

Specifically, we had forces on the road from Fort Amador and we had forces over in the Howard Air Force Base region that were in position to interfere, should the 7th Company to the west of the 5th Company in Fort Amador have moved on the rebels. As it turned out, the 7th Company moved by air, so there was never a direct

confrontation with U.S. forces, and the 5th Company never moved at all.

But we were in fact positioned to move, if a decision had been made.

Chairman NUNN. Mr. Secretary, on that point, a clarification. We were told the other day exactly what you have just said, that you had those forces in position to move if a decision was made by the President. Is that correct?

Secretary CHENEY. That is correct.

Chairman NUNN. Was that decision ever made by the President? Did we ever use those forces to block any of those routes?

Secretary CHENEY. Well, certainly I think it would be fair to say with respect to the forces located at Howard Air Force Base they were blocking the road, but again there was never a confrontation with Panamanian forces.

Chairman NUNN. You see, that is not what we were told the other day when you and General Powell came up. I sat right here and asked you, and the answer was we never used those forces for any of that. We were not using them because the policy decision was never made by the President.

This is why there has been confusion here. I guess the question I am asking is, did the President ever give the order to block the road.

General POWELL. I think I can handle all of that, Senator, if I could start with the narrative.

Secretary CHENEY. If we can walk through the narrative, and if I do not answer your question directly please then nail me on it. But I think I can handle that. I can handle that in context.

Chairman NUNN. Okay.

Secretary CHENEY. The final point I would like to make, Senator, is that the President, based on the information he had available, did not believe it made any sense for us to commit U.S. forces into a combat situation, to defend the coup-plotters or to attack the coup-plotters, which were the two basic options you had.

It did not make any sense to intervene in a conflict between the rebels and the pro-Noriega forces in and around the Commandancia if the rebels did not have Noriega, and we did not know until later in the day that they had him. And once they had him and made it clear to us they would not turn him over to us, it did not make any sense for us to attack the anti-Noriega forces in order to acquire Noriega.

Of course, it all wrapped up very rapidly and the coup collapsed very quickly after that in any event, so there never was the opportunity to move forward and use military forces.

I reiterate the thing we have said previously on many occasions. I believe the President made wise and sound decisions. I think the effort was basically the right one. I think if U.S. forces are to be committed to that kind of venture that you should not do it simply on the word of an individual about whom there are doubts in terms of what his motives are.

I think the President has to retain that himself, and he should proceed only with caution and prudence, and in this case I believe we did.

Chairman NUNN. Thank you, Mr. Secretary. General Powell.

STATEMENT OF GEN. COLIN POWELL, CHAIRMAN, JOINT CHIEFS OF STAFF, ACCOMPANIED BY LT. GEN. THOMAS KELLY, J-3, JOINT STAFF; AND REAR ADM. TED SHEAFER, DEPUTY DIRECTOR, DEFENSE INTELLIGENCE AGENCY

General POWELL. Thank you, Mr. Chairman—Senator Nunn, Senator Boren, gentlemen. I would like to give you a rolling narrative of exactly how this unfolded. I am prepared to go to whatever level of detail, the last message, the last discrete item that you may wish to ask about.

I have with me General Kelly and Admiral Sheafer, who lived through the 3-day period with me. But let me do it in sort of narrative style, because really, I think, you want to know tone, intent, and how did this thing really happen. Then after I have made my presentation, what details you would like filled in we are willing and able to do that.

Let me begin on Sunday evening, [deleted] when we first got word from Mrs. Giroldi through intermediaries that her husband wished to meet with U.S. officials to discuss certain actions he was planning to take against General Noriega.

Those meetings were promptly arranged and U.S. intelligence officials met with Major and Mrs. Giroldi and received certain information from him concerning action that he had already decided to take the next morning, and he described those actions for us.

Chairman NUNN. General, could you tell us which time zone we are using?

General POWELL. I will be using my time.

Chairman NUNN. U.S. time?

General POWELL. I am using U.S. time at the moment. So in the course of late Sunday night and over the midnight period this information was obtained from Major Giroldi. It first came to my attention at about 2:38 Monday morning when General Kelly, who is here with me today, called me at my quarters and said this information had just come in.

And what he sketched out for me is that Major Giroldi was planning the very next morning, just a few hours away, 5 or 6 hours hence, to take over the Commandancia building, PDF headquarters. He said he had available to him his forces, his own 4th Company, which is located right there in the compound, [deleted].

That is what he thought he had to do. It is only his claim that he had these. [Deleted.]

So what he essentially said was that he thought that with his three companies at most he could take charge of the Commandancia complex and he gave us what he thought would be the actions of others.

He made three specific requests. One was if his family needed protection or asylum would it be provided. He also requested that the United States secure the roads leading from Fort Amador north, which would be the route of entry should the 5th Company decide to participate, and would we be prepared to block the Bridge of the Americas, which was the route coming from the west, which the 7th or 6th Company might use if they decided to respond.

This is pretty much all I had at 2:38 in the morning. I called Secretary Cheney within a few minutes after that, about 2:43, and con-

veyed all this to him. I also mentioned to him that the commander's assessment on the ground, General Thurman's assessment on the ground, was we were not sure whether this was a credible statement of a coup attempt, how much credibility we could put in what he was saying to us.

We also were not sure whether or not the plan, and if it was a real plan, would actually work. We were not really sure as to whether or not he had control of the forces he suggested he had control of and whether or not he really had a good assessment of what the other forces might or might not do.

Based on all of that, and based on the fact that we were not clear what his intention was in terms of what he was going to do to Noriega, what he was going to do with respect to restoring democracy, or what his own personal agenda was, it was General Thurman's assessment and it was also my judgment, which I conveyed to Secretary Cheney, that although this was significant news and interesting it did not seem to warrant a commitment on the part of the U.S. Government, the U.S. Armed Forces, to say yes, we will do all of these things for you and essentially introduce an obligation on the part of the U.S. Government to participate in this coup that we are just hearing about for the first time and which is going to take place several hours later.

Secretary Cheney took that information and communicated with General Scowcroft. You may wish to add something at this point, Mr. Secretary; otherwise, I will just continue.

Secretary CHENEY. I basically conveyed the information that Colin had provided to me, had a discussion with General Scowcroft, and then got back to him.

Chairman NUNN. What time was that?

Secretary CHENEY. It was about 2:45 in the morning, Monday morning.

General POWELL. A little before 3 a.m. the Secretary communicated back to me that I could communicate to General Thurman that we would provide, on a humanitarian basis, any safety the family needed should this actually happen, but that we could not make a commitment to actually give to Major Giroldi what he asked for, which was to put Armed Forces there, because once you say put Armed Forces there what you are also saying is if those Armed Forces come under attack they are to respond with fire, defend themselves and take care of anybody who is attacking them.

That was a significant fire break to cross and we simply did not know enough about this effort to have sufficient confidence in the person who was presenting the proposal to us or his plan to make that kind of commitment on the part of the U.S. Government.

This was all passed back to SOUTHCOM in a timely manner. However, in light of the next couple of hours it is not, I do not believe—and my guys will check me—we were never able to get this information back to Major Giroldi because communications were not in place. He had gone about getting ready for whatever he was going to do the next morning.

At the same time, as part of just prudent force protection activity, General Thurman, the SOUTHCOM Commander, took certain actions that were directly related to our own force protection activities to also preserve all options that the National Command Au-

thority in Washington might want to exercise in the future [deleted].

And, of course, we already had forces in position on the west side should a decision ever be made that U.S. forces might wish to do something. Even if no such decision came, it was prudent to have disposition of our forces in that way and General Thurman did that, as well as increasing his reconnaissance effort, making sure that all of our [deleted] were up at 4 that morning and generally increasing the state of alert among U.S. forces in Panama.

The morning began, and we were all at our offices bright and early. [Deleted.]

Senator COHEN. Is that 8:45 our time again?

General POWELL. It is 8:45 their time. It was 9:45 our time, Senator. I am sorry. I will have trouble slipping back and forth, but it was 8:45 their time, 9:45 our time.

As it turned out, nothing happened, and for a brief period of time we simply did not know why nothing happened. But then, through the same channel, we learned that they were first having, as was reported to me, logistical difficulties and it will be delayed for a few hours.

A few hours went by, and then we received information that they were still having coordination problems and it would not happen in the near future. We also in the course of the morning tried to get any kind of corroboration of his plan. [Deleted.] And simply there was nothing to report—no activity, no alerts, no units seen moving or doing anything out of the ordinary.

Senator KENNEDY. General, as I understand, the reason they say is because Noriega was not there.

General POWELL. The reason we were given was they were having coordination difficulties and they were having logistical difficulties. It also became obvious in the course of our work on Monday that the plan that he really had in mind was based on Noriega not being there. He did not want Mr. Noriega. Noriega was seen going in that morning and then about an hour later, I guess it was, he was seen leaving, or somebody believed to be Noriega. [Deleted.]

So Noriega was believed to go in on Monday and believed also to leave. And what we had learned in the course of the morning and during the day was that his plan was not to get Noriega or decapitate Noriega. He essentially wanted to seize control of the Commandancia, the PDF headquarters, and see how many forces would rally to him and essentially institutionally change the leadership of the PDF without having to deal with General Noriega.

And the plan was based on General Noriega not being there and, as we subsequently learned the next day in face-to-face conversations, it was their plan for General Noriega simply to see that forces were no longer loyal to him and then quietly go off into retirement in Panama, not in disgrace to be turned over to Americans or the exiles from the country.

But, in any event, this was the so-called coup that people were suggesting subsequently that we should have supported, and there simply did not seem to be enough there to throw our cards in with this particular operation.

Monday again goes by and we just get spotty reports. And then, as Monday drew to a close, we heard through the same channel that the coup would now take place the following morning.

Senator COHEN. Could you be specific? When you say it was Monday, we have been told that we go the information at 12:11 that Giroldi's wife passed information to SOUTHCOM that the coup had been postponed until tomorrow, as reported [deleted] from CINCSOUTH. That was at 12:10.

General POWELL. Yes, [deleted] and this was on Monday. It did not come to my attention until later in the afternoon, but I cannot remember the specifics, though my associates may have it.

But my best recollection—and they can verify it in a moment—is that it was in the course of the afternoon. I am not sure what time a 12:11 cable was digested and fed up to us, but it was in the course of the afternoon, and as the day drew to a close we were left in the position of believing that the same source that told us it was going to happen Monday morning was now telling us it was going to happen Tuesday morning.

But in the course of Monday and through Monday evening we saw no other corroboration, no movement of units, no nets coming on, no changes of patterns that would have given us any corroboration of what he was saying to us. And we also had a chance to learn a little bit more about Major Giroldi and the role he had played serving as Mr. Noriega's trusted assistant in the coup of 1988 as well as the position of honor he had been given to guard one of the companies directly associated with the protection of Mr. Noriega.

So when we closed the day on Monday we pretty much were just about where we were on Sunday—reports that a coup would take place the next morning.

General Thurman modified his force protection pattern slightly and planned to move the next morning a mech infantry company to Fort Amador. Just in case something did happen, he wanted to have forces properly deployed for whatever decisions he might receive.

But at this point—and I will start to lead into the answer to the question that Senator Nunn raised—at this point on Monday afternoon, as General Thurman prepared his force protection deployment for the next day, neither I, nor the Secretary, nor General Thurman had any authority to commit U.S. forces in any way to armed conflict or direct confrontation with PDF forces. We merely were exercising force protection actions solely as a result of our own prudent planning and not in direct response to those who were planning and leading the coup to be.

But at the same time those planning and leading the coup I am sure also observed actions that were being taken by U.S. forces.

And then on Tuesday morning——

Chairman BOREN. Let me ask this question. Was the President asked for a yes or no decision as to whether or not he would authorize American troops to respond? In other words, you put them out blocking the roads or blocking the bridge.

General POWELL. This one was not blocking the roads or bridge.

Chairman BOREN. I mean, did you authorize blocking the roads or blocking the bridge?

General POWELL. No, sir.

Chairman NUNN. You just put them in place where they could.

General POWELL. Where they could be used if they were directed to be used—just in place.

Chairman BOREN. Was the President at this point asked for a yes or no answer, that if in fact the rebels do indeed come—I mean, if the reinforcements do come in this direction, would the President authorize the use of the forces to block the roads? Was he ever asked for a yes or no decision on that?

Secretary CHENEY. Not on Monday, I do not believe. We had a session on Monday where we discussed these events and developments, but our collective judgment was that we did not simply know enough to commit U.S. forces into a combat situation. It did seem prudent to do what we did, which was to have the forces deployed in the event developments unfolded in such a way that we decided to do that.

Chairman BOREN. Did he ever give authority to use force?

Secretary CHENEY. He never authorized direct conflict with Panamanian forces. Again the word "blocking" gets to be an important one here from a semantic standpoint. Do you have the road blocked if you have got vehicles lined up along side of the road but not actually across it, but you are in a position, if troops move, so that you could do that?

Or is it blocking if you go and you have got them deployed out there but nobody ever shows up because nobody ever tries to get through the blockage?

The President never authorized us to start shooting, basically. He never authorized us.

Senator WALLOP. When you say "we had a session", was that the White House or was that just Defense?

Secretary CHENEY. No. This is Monday.

General POWELL. Monday with the President.

Senator WALLOP. That was with the President.

Senator WARNER. That is the important thing.

Secretary CHENEY. At which we reviewed all of these things and we did not have enough information on Monday, given the doubts about the coup-plotter and given the fact that nothing had happened when we had been told it originally was going to happen on Monday. We did not have any basis on which to do anything other than say, well, maybe something is happening Tuesday and we will be in a position so that if we decide to proceed, we can.

Chairman NUNN. It would not be accurate, then, to say that you actually blocked the road.

General POWELL. Well, if you will let me go through to Tuesday at 1, I think I can give you an answer to that and if it is not satisfactory I am sure you will raise it.

Senator COHEN. As of Monday, you blockaded?

General POWELL. All through Monday the guidance that had been given to General Thurman on Sunday evening remained intact, and all we were doing were making prudent force deployment decisions. But no decision was made to either block roads or to engage with PDF forces. Now we are through Monday evening and into Tuesday morning.

Chairman BOREN. I guess what I am trying to get at is the press has reported that in terms of the way the matter was presented to the President, that the President was never given a direct decision directive and asked: Mr. President, if the troops, the reinforcement troops, do indeed move down the routes across the bridge and down the road, Mr. President, do you authorize us to block the road and do you authorize us to use force to keep the road or the bridge sealed, yes or no.

The press says the President was never confronted with that kind of decision, which obviously is the kind of decision you have to have if you are going to act decisively.

Secretary CHENEY. I would disagree, Senator. There are two elements ultimately to be considered. First of all, the force was never moved. That is to say the 7th Company never tried to go by road back into the city. The 5th Company never moved out of Fort Amador.

Second, I think—and this would be my view—that in that kind of situation the President is going to want as tight a control as he can get and you are not going to want to delegate any more than you have to.

Now, we have standard procedures for the way we operate in Panama anyway. Since we have been through this exercise of enforcing our treaty rights and sending forces up and down the causeway and into areas that we are allowed to go to by treaty but sometimes the Panamanians have blocked in the past, our forces have got certain ground rules, certain rules of engagement which they have to abide by.

Our guys are equipped. They are armed. And if the Panamanians were to try to block them, for example, from going down a causeway that we are entitled to go down, they would be warned. There are certain procedures the officers would go through. But the Panamanians would be told to clear out of the way, we are coming through. That is standard practice. In Panama we operate that way all the time.

But if, for example, the 5th Company had begun to move out of Amador I would have expected the message to come back up the chain very quickly for a signoff by the President [deleted].

General POWELL. Obviously at the meetings on Monday, Senator Boren, it was discussed at considerable length, but there was no need to ask a question like that directly of the President because there was not a decision facing him. [Deleted.]

There was more than ample time to take that issue to the President.

At Fort Amador the time line is shorter, but, to answer another question that came up, within the Pentagon, within the National Military Command Center setup our communications were superb. We had constant secure and open line communications with SOUTHCOM. I talked to General Thurman instantly and repeatedly during the whole proceedings and I had solid communications with the Secretary of Defense and the Deputy Secretary of Defense at all times.

Senator WALLOP. General, could I ask one question which I think is relevant here? Were there other officials of the U.S. Government, aside from the military, locked into this chain of command

and line of communication which you have described, who were in contact either with the coup commander or any other Panamanians?

Chairman NUNN. I think he is going to get to that.

Senator WALLOP. I am sorry.

General POWELL. I think I will. If not, sir, I will be happy to answer that question.

Obviously there were other State Department and CIA communications, and I would also say there were some Members of Congress calling directly to SOUTHCOM headquarters trying to get information on this in the course of the middle of the action—on Tuesday, in the middle of the action, Members of Congress wishing to speak directly with the CINCSOUTH.

Chairman NUNN. Is that plural or singular?

General POWELL. I can only speak singularly.

Senator WARNER. Mr. Chairman, I think the Secretary ought to put clearly in the record as to what transpired Monday with the President—was it a Situation Room meeting, a causal conversation in the Oval Office, and who was in attendance—because this question of the Presidential decision chain is part of the discussion publicly and within this committee.

Secretary CHENEY. Well, my recollection of it—and this will be in the chronologies—was a meeting in the Oval Office involving myself, General Powell, General Scowcroft, the President's National Security Advisor, probably John Sununu, the Chief of Staff. I believe Baker was there on Monday.

General POWELL. Yes.

Secretary CHENEY. Secretary Baker, possibly Bob Gates, who participated, the Deputy.

General POWELL. Yes.

Secretary CHENEY. And the President. I think that is basically the group.

General POWELL. That is correct.

Senator WARNER. So it was a top level meeting with a full discussion of all of the facts. The President was briefed. The President presumably gave you certain directions in order to enable carryout.

General POWELL. Right. Also, to just fill it out, General Kelly accompanied me, as did Admiral Sheafer, and there were also State Department representatives with Secretary Baker. I believe Mr. Aronson and Mr. Kozak were there.

Senator WARNER. And the time?

General POWELL. Roughly at 9.

Senator WARNER. 9 a.m. Monday morning?

General POWELL. That is correct.

Senator WARNER. Thank you.

Chairman NUNN. This statement in the New York Times says at no time did all the top national security officials meet in one place to discuss this, and that is just flat wrong?

Secretary CHENEY. That is just flat wrong.

General POWELL. That is right.

Senator COHEN. Was there any representative of the CIA there at that meeting?

General POWELL. At that particular meeting, no.

Secretary CHENEY. I do not believe so.

Chairman NUNN. All right. Let us go ahead. The only other thing I would like to ask now is—and maybe you are going to get to it—I still do not know and do not have any indication that the President ever gave an order on Monday, Tuesday, or at any other time, to block the road.

General POWELL. I will get to that, sir.

Chairman NUNN. You are going to get to that?

General POWELL. Trust me, sir. [Laughter.]

Chairman NUNN. Then go ahead, sir.

General POWELL. It is now Tuesday morning. The story I am now going to tell I have to remind you all took place in about 3½ hours total. Reading newspaper accounts, you would think this all unfolded in slow motion over a 3-month period, but this all happened in about 3½ hours and it happened very rapidly. It happened in the normal confusion one finds in combat and the normal confusion one finds in Panama.

But it began as follows. Tuesday morning we all came to work and shortly after 9 we had seen no indication of units starting to change patterns, alerts increasing, people moving—nothing. We had heard no radio broadcasts, which by the way we were expecting to hear as sort of the tipoff for this.

But then, suddenly, shortly after 9 the first reports coming into Washington about 9:20——

Chairman NUNN. Our time

General POWELL. I apologize, Senator. I am now on Eastern Daylight Time. Roughly 9:20 our time here in Washington, reports start coming in that firing has broken out at the Commandancia, that an action is under way. There is a lot of shooting going on. And then the shooting dies down again and the situation is quiet.

Instantly the questions that come to mind: Has the 4th Company succeeded? Does he have the Dobermans and the cavalry troops with him? What are other units doing? He has done what he said he was going to do, but how successful will his plan be, the plan that he described to us earlier, if that still remains his plan.

Where is General Noriega? Where is Noriega in all this? And for a period of about 1½ hours the following starts to build. First, we have no idea for, I would say, the better part of 2 hours, whether General Noriega is or is not in the Commandancia. In fact, we are never positive that he was in the Commandancia, and in fact, if he is in the Commandancia, under whose control is he, if anyone's?

Senator COHEN. General, do not say we never were sure about whether he was in.

General POWELL. I never was.

Senator COHEN. Well, OK. [Deleted]—we have already had information yesterday that by 11 we knew he was inside.

General POWELL. They were reasonably sure he was inside.

Chairman BOREN. They felt fairly sure by 10:05. They said they felt that by 11 it was a certainty.

General POWELL. I hate to say that where I was by about 11:30 or 12 I had increasing confidence, building confidence, that he was in the Commandancia, [deleted]. But I was not positive, Senator. I really was not positive.

And if he was in the Commandancia, as you can note from a lot of press reports in the Miami Herald and elsewhere, it is not en-

tirely clear that he was under the positive control of Major Giroldi inside of the Commandancia. That is also very unclear.

Secretary CHENEY. If I may, the Commandancia is not just one building. It is a compound, with a lot of buildings.

General POWELL. That is correct. [Deleted.]

Senator COHEN. [Deleted.]

General POWELL. I have seen nothing about that.

Admiral SHEAFER. It was much later in the day, just before he appeared on television.

Secretary CHENEY. One of the items, Mr. Chairman, at this point that I was aware of was [deleted.]

Admiral SHEAFER. I do not remember that, sir.

Chairman BOREN. [Deleted.]

General POWELL. We were receiving the same reports, but is the report accurate? That is the question, Senator. Is the report accurate? There were dozens of reports flowing in and out.

So what I am saying is yes, that report was there. There was a building body of evidence. The best evidence to me was that he was not appearing on television anywhere to claim that he was still in charge, and that counted as much as any of the reports we had. But time had to elapse before you had confidence he was in the building.

In any event, [deleted] road gets blocked or not blocked, which I will get to, Senator Nunn, really becomes moot because they never moved.

There was never an opportunity for confrontation at any time with the 5th Company at Fort Amador.

Chairman NUNN. Then we never blocked the road. We never asked the President to give us authority to block the road.

General POWELL. I am coming to that, Senator. Trust me. [Deleted.] They never did move again.

At this point we have the mech company at Fort Amador. [Deleted.]

Chairman BOREN. What time did you learn that?

General POWELL. I am saying at about 10.

Admiral SHEAFER. About 10.

General POWELL. We can give you the precise time for the record, Senator.

Chairman BOREN. You learned that they were [deleted].

General POWELL. That there was [deleted] I do not remember whether we knew first that [deleted].

Admiral SHEAFER. [Deleted.]

Chairman BOREN. [Deleted.]

General POWELL. [Deleted.]

Chairman BOREN. [Deleted.]

Admiral SHEAFER. There were different reports. [Deleted.]

General POWELL. [Deleted.]

Senator LEVIN. What time was this?

General POWELL. We are talking 11-ish. We will get you the precise time. We are at around 11 by now, Senator.

Senator COATS. What route did the Battalion 2000 take?

General POWELL. Multiple routes, but I think there is a single road that comes in, and then the city has many streets. I am not sure of the exact route they took. [Deleted.]

Chairman BOREN. Again there is a report at 10:30 in the Embassy, reported by SOUTHCOM to the State Department, that the body was moving past the building on the coast road. [Deleted] and from our own Embassy, spotting them moving by road by the building along the coast at 10:30. So we had some time. That is our time, and we had fairly good tracking, did we not, that [deleted] and our own Embassy called to say that they were passing by our location and we see them on the way in.

General POWELL. I do not deny any of that, Senator.

Chairman BOREN. Well, we had pretty good tracking of the reinforcements coming in.

General POWELL. [Deleted.] The Battalion 2000 [deleted]. They got there rather quickly and they were essentially not expected to participate.

Secretary CHENEY. But, in response to Senator Coats' questions, both of these areas are up to the roughly northeast of where the Comandancia is located and the places where we had had our forces in the places where the Major had asked us to consider being involved were south and west.

Senator COATS. Okay.

Senator LEVIN. In other words, the road that they came in on was not one that we were asked to watch in either the Battalion 2000 case or the roof of the airport?

General POWELL. That is correct. We were specifically asked about the Bridge of the Americas, which would have been the land route and off Fort Amador.

Senator COHEN. Was this information, the progress of the troops, ever conveyed to General Cisneros?

Chairman BOREN. The reinforced troops, the 7th?

General POWELL. All of that information originated here.

Admiral SHEAFER. It was received by them and by us simultaneously, and we were discussing it on the telephone.

Senator COHEN. So General Cisneros knew that there were reinforcements coming as of what time? 11:00?

Admiral SHEAFER. I think at [deleted] their time.

General KELLY. [Deleted.]

Senator COHEN. He knew troops were coming?

General POWELL. Yes.

Admiral SHEAFER. [Deleted.]

Senator COHEN. He knew that forces were coming from the 7th?

General POWELL. We knew from the period roughly, if I can use our time for a minute, we knew from roughly [deleted].

Chairman NUNN. Why don't we do this? Why don't we let them go through the chronology and then come back? Otherwise, he is not ever going to get through this. Go ahead, General. No more interruptions. It is yours.

General POWELL. Thank you.

In any event, by noon our time here in Washington it was clear that forces were gathering that were loyal to General Noriega, consisting principally of the 7th Company and Battalion 2000, that General Noriega was probably most certainly inside the PDF headquarters, but we had no positive assurance of that. And it was also not clear under what kind of control he was, if he was inside the PDF headquarters. And we had our forces deployed.

At that point we had a variety of conversations and General Thurman and I had a conversation about what we would do if in the course of these proceedings we were offered General Noriega. We looked at three options. [Deleted.]

General Thurman and I discussed these and he had sufficient authority after that discussion and after I discussed it with the Secretary that should we be offered General Noriega at any point in these proceedings we would take him in a minute, if he could be delivered on U.S. territory, controlled territory.

[Deleted.]

Shortly after that the meeting took place between General Cisneros and the two representatives of the PDF at Fort Clayton, and that is a much-discussed meeting as to what actually happened.

General Cisneros knew what we would do if General Noriega was offered to us, but what the two representatives said to us was we have him under our control. We have no intention of turning him over. Our desire is for him to be removed and put into retirement along with several others that we had discussed earlier. And we continue to hope you will block those roads, which at this point had pretty much become moot because there was nothing coming from Amador and there was nothing coming down the road from the west. But we require no other support, ask for no other support, and do not wish U.S. interference.

So from both sides, both those loyal to General Noriega—the 5th Company and folks like that, even though the 5th Company was not responding—and from the representatives of the insurrectionists, they were asking us for no additional direct support or intervention.

The question has come up as to whether or not we were ever offered General Noriega. We were never offered General Noriega, and I can find no basis for that report except for some confusion that existed—and there are two versions of this—either in Panama or up here in Washington, where somebody thought that we had been made such an offer and by the time we ran that to ground and killed it there was no basis for such a rumor. It was something that got started and we killed it quickly.

We were never offered General Noriega, nor were we ever asked for a helicopter to spirit General Noriega out for them or to provide him to us for whatever purposes we might use him, principally to respond to the indictment against him.

About this time, when things were reaching their climax, Senator Nunn, the Secretary at this point—I think you were over in the White House, Mr. Secretary, for a variety of other meetings, and we were examining what other options might be available to us.

And from those meetings at the White House—I stayed at the Pentagon because of how rapidly the situation was moving—the Secretary advised me that we should put forces not only at their force protection locations but to block the roads as part of our force protection activities. So at that point, shortly after noon, I guess it was, SOUTHCOM was advised that the forces that were in force protection posture could be put out to block the roads.

But we also understood that this did not give them authority to enter into armed conflict with anybody because we still had enough time to come back and get a decision from the President, should

that become necessary. It would take a period of time, still an hour or so on the northern and western route and some time out of Fort Amador. The communications were adequate to get a Presidential decision.

So at that point, roughly after noon on Tuesday, General Thurman was directed to do that, did put those forces out, but it really was not an issue at that point because there was nothing to block and we had time to get a decision if there was going to be a confrontation.

Shortly after, between 1 and 2, while we were beginning to try to get a better handle on what was going on and what might happen for the rest of the day and what other actions we may wish to take and what options we should start developing to present to the President, should he wish to take additional action, it suddenly ended on us.

[Deleted] the coup was over and people were being marched out of the building.

I think I will just stop there. Everybody knows what has happened since then.

Chairman NUNN. All right. Thank you very much, General Powell, Mr. Secretary. Let us use the 5-minute rule. We have a lot of people who want to ask questions, so we will start the clock ticking right now.

Did anyone ever suggest [deleted] and that there were [deleted].

General POWELL. No. We did not have communications directly—and correct me here. [Deleted.] Is that fair?

Admiral SHEAFER. Yes.

Chairman NUNN. [Deleted] to recognize the duly-elected government of Panama?

General POWELL. [Deleted.]

Chairman NUNN. [Deleted.]

General POWELL. Not to my recollection.

Secretary CHENEY. But again, Senator, it is not like we had an open phone line from these guys. You hear from them before the coup and then once the coup starts the basic contacts occurs when Cisneros talks to two of their officers.

Chairman NUNN. What were the standing instructions to SOUTHCOM and the CIA as to what they were to do in response to a coup that we were actively encouraging with our policy, both overt and covert?

Secretary CHENEY. Well, I guess, Senator, I do not think they had any standing instructions in terms of how they were to respond to a coup other than to do what they did, which was to notify us, and we undertook the procedures that General Powell has outlined. But they do not have unilateral authority at SOUTHCOM to begin to cooperate or to support a coup or to be actively engaged in a coup.

That is the kind of thing they would have to come back and get signoff for.

Chairman NUNN. Had we made any policy decisions beforehand about our political, economic or military response to a coup? Had there been a high-level meeting with U.S. security officials and the President deciding what our response would be and discussing possible scenarios?

Secretary CHENEY. Not that I have been involved in, not until this first developed.

Chairman NUNN. Was there any clear policy guidance issued to the Chairman of the Joint Chiefs and SOUTHCOM for the preparation of contingency plans in the event there was an attempt within Panama to overthrow General Noriega?

Secretary CHENEY. Well, we have contingency plans relating to Panama involving the use of U.S. military force. They hinge more than anything else upon decisions that might be made by the President to deal with a particular development, [deleted].

We have been prepared at times in the past, for example, [deleted.] We are prepared to deal with that. That is the kind of thing we have given some thought to.

Contingency planning involving the application of military force is something we have in fact done in Panama. [Deleted.] Again, you would not because that would come back. If the President said go, then you could trot out one of the other plans and begin to operate. [Deleted.]

Chairman NUNN. So there was never any order given to SOUTHCOM or Operations or the CIA saying if you are approached by the coup—here are the following things to ascertain or the following things to tell them?

Secretary CHENEY. I cannot speak for the CIA, Senator, but with respect to our people they did exactly what I would expect them to do, which is pick up the telephone and call.

Chairman NUNN. Was there ever any kind of specific guidance given to General Thurman as to what to do if Noriega was indeed offered to be turned over, if they offered to turn over Noriega?

General POWELL. Yes.

Chairman NUNN. What was that guidance?

General POWELL. Specific guidance given to General Thurman—I gave it to him in a conversation late Tuesday morning—was, if offered to us on U.S.-controlled territory, do not even call here; take him and get him out of the country quickly.

Chairman NUNN. So he had that authority?

General POWELL. He had the authority and I had cleared it with the Secretary.

Secretary CHENEY. That is right.

General POWELL. Do not even ask; just do it.

Chairman NUNN. General, we are not playing with words here about what they offered. They did not ask us for a helicopter and they did not offer Noriega to us. I guess what you are saying, the clear implication is, they never indicated to us that we could come and get him in any shape, form or other?

General POWELL. In fact, Senator, they specifically said they had every intention of not turning him over, of keeping him and putting him into, frankly, almost honorable retirement. In fact, they were hoping he would not even be there when they started the coup.

Just to complete my answer, if we could get him on U.S.-controlled territory, take him. [Deleted.] But if it involved the use of armed forces to go down in there and get between opposing forces and go into harm's way, you can think about that and plan for that, but it is a decision I would have to take to the President.

Chairman NUNN. Senator Warner, my time has expired.

Senator WARNER. I will yield to the Vice Chairman, Mr. Cohen, and then we will follow order.

Chairman NUNN. Senator Cohen.

Senator COHEN. The reason the question is coming up about what actions were taken is there is essentially not much time to react to a coup. The fact of the matter is if the coup is going to be successful you are not going to have much advance notice in any event ever.

Chances are, the more notice, the less likely there will ever be a coup, because of people being apprehended. I would assume the contingency plans are fairly tightly drawn, saying you have got to go. You have got to go within minutes or certainly hours, but not days. Otherwise, it does not even make sense to talk about having a plan to deal with coups.

Is it our policy never to visibly use military units to extract Noriega? Do we have that as a policy?

Secretary CHENEY. I think it would be fair to say that our policy is we have not ruled out the use of military force in Panama, period. We have never limited——

Senator THURMOND. Could you speak a little bit louder?

Secretary CHENEY. I would say we have never ruled out the use of military force in Panama. It has been a deliberate policy not to rule out the use of military force in Panama, and obviously the value of military force is the uncertainty that resides with your potential adversary about whether or not you will use them and under what circumstances.

Senator COHEN. Speaking hypothetically, then, had the coup-makers been in a position where they held Noriega you do it and they made a request for you to send in a helicopter to take him out, then the President could have done so?

Secretary CHENEY. Could have done so, and I think it would be fair to say, based on the conversations I have had with General Powell and that he had had with General Thurman, that General Thurman knew he had the authority to do that if that arrived. This was a cooperative venture.

Senator COHEN. But the problem was, you did not know, for sure whether Noriega was, or where he was within the compound and, you still were not satisfied that, at least in the early morning hours, between 9:00 and 11:00, these people were reliable, were you, at that point?

Secretary CHENEY. That is correct. [Deleted.]

Senator COHEN. ABC News quoted "unnamed Defense Department sources" as saying the one reason they believed Noriega might not be in the custody of the coup-plotters on Tuesday morning was that the U.S. had intercepted two messages that he had sent by hand-held radio during that period to loyalist forces, which may have contributed in essence to the confusion of the situation if Noriega is in fact talking by hand-held radio to loyalist forces.

Now, is there nothing to that particular report? It would seem to be beneficial to your position, but there is a lot of confusion about it.

Secretary CHENEY. There is a lot of confusion about it.

Senator COHEN. Is there anything in your records to indicate that there were [deleted].

General POWELL. [Deleted.]

Senator COHEN. Did General Cisneros ever communicate to the two rebels who were on the compound and not at the back gate but on the compound itself [deleted]?

General POWELL. I do not know that I have a direct answer to that. I do not know. We will have to find that out for you, Senator.

[The information referred to follows:]

Review [deleted] does not reveal any effort to contact the leaders of the coup inside the compound. Additionally, review of the USSOUTHCOM chronolog does not reveal any contact with the coup leaders inside the compound.

Senator COHEN. It seems to me that that is a fairly important question. Where they say we have him here.

General POWELL. They may have been there by then, Senator. I think the 7th Company, by the time those fellows came onto Clayton, I would have to check the time line here, but the 7th Company probably was already there.

Admiral SHEAFER. They were in Cisneros' office at 11:30 Panama time.

Senator COHEN. So that was 12:30 our time?

General POWELL. Yes.

Senator COHEN. They were in Cisneros' office. [Deleted.]

Admiral SHEAFER. Not to the best of my knowledge.

General POWELL. Not to the best of our knowledge. We will have to check that, Senator, to be absolutely sure and provide it for the record.

Senator COHEN. Could you provide the committee with SOUTHCOM's J-2 intelligence logs for that period of time, those 2 days?

General POWELL. [Nods affirmatively.]

[The information referred to follows:]

[Deleted.]

Senator COHEN. That is all I have. Thank you, Mr. Chairman.

Chairman NUNN. Thank you. Senator Boren.

Chairman BOREN. General Powell, I think in a sense we have focused too much on whether or not they were willing to hand over Noriega to us for us to take him out. The important thing is, if these people had won, whether they removed Noriega from power by handing him to us or by forcibly retiring him or putting him under house arrest or whatever, that would have been fine, I think, in terms of the outcome.

The important outcome was that they win. Now obviously in asking us to block the roads where they expected the reinforcements to come from, they were asking for our help and you have to assume that the only reason they asked us to block these specific routes is because that is where they thought the troops would come from.

[Deleted] reports from our own Embassy as to the line of march for the first forces that arrived on the scene, which route they were coming.

My question is, obviously, these people were not asking us to block the wrong roads. It would not do a bit of good for us to block the wrong roads, to block a road reinforcements would not use.

When they asked us to block roads, you have to assume they were logical people and they wanted us to block the roads that the reinforcements were coming from.

Now, once we had learned the route that the reinforcements were coming from, [deleted] we knew that with great detail, was the President asked at that point Mr. President, the reinforcements are coming up a different road. These rebels have asked us to block the roads to keep reinforcements from getting in. Do we have authority to move our troops to the right roads, block the right routes to prevent these reinforcements from moving in to crush them? That seems to me to be the critical question. Obviously no one gives a damn about blocking roads if no one is moving up on them. The rebels would not care either. They obviously want us to block the roads that reinforcements would come through. Now, did we ever ask the President. Did you ever ask the President, or did the Secretary ever ask the President, Mr. President the reinforcements are coming along this route; do we have your authority to block the roads, since they have asked us to block the roads to prevent reinforcements from coming in?

Secretary CHENEY. Well, I think it would be fair—maybe I should take a minute at this point, Mr. Chairman, and sketch in what is going on over at the White House consistent with the scenario that General Powell has laid out for Tuesday.

I got involved on Tuesday when I was riding on a tour bus up at Gettysburg Battlefield with General Yazov, the Soviet Defense Minister, my guest in town this week.

Senator COHEN. Did you ask for his advice?

Secretary CHENEY. It was a fascinating event because he was sitting right there beside me in the front seat of this bus, with the tour guide describing the battle of Gettysburg with Soviet interpretation mixed in and out, and I have got a portable phone handed to me by my military assistant, and it is General Powell in the Pentagon saying the coup has started. [Laughter.]

Senator COHEN. Did the interpreter understand? [Laughter.]

Secretary CHENEY. I arrived back in Washington around 11 by helicopter from Gettysburg, went to the White House for an 11:45 meeting, roughly. General Powell was at that first meeting, together with many of the people that we had named the day before.

General POWELL. I never left the Pentagon on Tuesday morning.

Secretary CHENEY. I think you went to the first meeting.

General POWELL. Let me check that.

Secretary CHENEY. We had two meetings and the second one—the first one began at 11:45 and ran to about 12:30. I went to the Pentagon. Then the second one started at 1:45. At 1:45 we had scheduled a meeting for the President to meet with General Yazov and we postponed that meeting, kept him waiting outside while a smaller group met with the President to sort of review the latest developments in Panama.

General Powell I think was in the first meeting, not in the second. And Jim Baker was not present, but I talked to him on the telephone before the second meeting. So that was ongoing communications. This was also the time when Mr. Salinas, President Salinas of Mexico, was in town as well.

We had little information at the first meeting. [Deleted.] There is really nothing new except that something is happening and the coup is under way. We have got conflicting reports about where Noriega is, et cetera.

The second meeting started at 1:45 our time. That was the point at which we were able to report that we had contacted the coup leaders and that they had indicated they did not want to turn Noriega over to us. That is the point in the afternoon when the President knows for certain, when I am confident at that point that they do in fact have Noriega and that they are not willing to give him to us.

Now, that meeting ended about 2:30. General Yazov came in. I stayed briefly for the Yazov meeting, and then I had to leave at about 2:45 in order to get back to the Pentagon to swear in General Powell, because we had a swearing-in ceremony.

En route back to the White House is when I received word by telephone in my car that the coup basically was coming apart. There were some indications of that just as I left the White House, but I called while I am in the car en route back to the Pentagon on the telephone to General Scowcroft as he was departing the Oval Office, going into the Cabinet Room.

I got him on the telephone and confirmed for him that we were now getting reports that the gates were open in the compound, people moving in and out, and it looked like the coup was all over with.

Chairman BOREN. So the answer to the question is that the real crucial moment for us to have been of any help to these people was the time when we learned that the two leaders had made a mistake as to the direction the reinforcements would come. [Deleted.]

We learned somewhere, [deleted] they are going by our Embassy buildings on the coast road. We knew that the reinforcements were coming from a direction unanticipated by the rebels.

And what I hear you saying is that at no point in time, because the second meeting you talked about was not the 1:45 p.m. meeting, that at no point in time was the President interrupted to be told, Mr. President, the reinforcements are coming from a different direction, not on the roads we discussed previously, not from Amador, and not across the bridge. They are coming from a different direction.

Mr. President, since the rebels have asked us to block access routes, do we have your authority to move our people into position to block the actual access routes for reinforcement? The President was never actually asked that question, never asked for authority to block other access roads?

Secretary CHENEY. The picture was never that clear, Senator. There were conflicting reports coming in about what was going on. I am sorry. You may be able to go back now and reconstruct minute-by-minute when the various messages came in, but the picture was never that clear.

Chairman BOREN. Well, is it pretty clear when our Embassy calls us——

Secretary CHENEY. I have not finished my answer to your question, Senator. The picture was never that clear that morning that you had in fact these kinds of developments where you had a clear-

cut military choice to make. Shall we go intervene with respect to protecting the Comandancia against the 7th Infantry Company or the Battalion 2000 coming in from the airport.

Chairman BOREN. Let me ask General Powell this because General Powell said that he did know, that we did [deleted]. We did have a report that they were passing by our Embassy building location on the coast road.

Now it seems to me that is pretty good information as to where reinforcements are coming from. You said we knew with certainty. [Deleted.]

They were being cautious. I imagine General Noriega has asked him why they did not move sooner. But this other unit was moving. Now is that not correct? Is that not what you said?

General POWELL. We knew they were moving, yes, sir.

Chairman BOREN. And did you inform the President at that point that they were moving? Did you ask the President at that point to give you authority to block their actual access route?

Secretary CHENEY. We discussed generally the question of whether or not we should intervene militarily.

Chairman BOREN. I just want a specific answer to that specific question, because I think that is the most critical question. I do not want another explanation of what it means. That is just very simple.

Was the President told that reinforcements were moving along the routes, that they were actually moving, and was the President asked whether or not he would give authority for us to block those routes? That is a very simple yes or no question.

Secretary CHENEY. No, it is not a simple yes or no question, Senator. The key question is whether or not——

Chairman BOREN. You must know whether it was.

Secretary CHENEY. Is whether or not you are going to use military force to side with the rebels. That is the basic policy question the President has to decide.

Chairman BOREN. Did he decide it?

Secretary CHENEY. He decided not to. If he decided to intervene on the side of the rebels, then he would say to your commander in Panama, General Thurman, you are authorized to proceed to intervene on the side of the rebels and to block any pro-Noriega forces that are attempting to come after them. We never gave that order because we did not think it made sense to do so.

Chairman NUNN. Senator Warner.

Senator WARNER. Thank you, Mr. Chairman.

Gentlemen, first I think this has been an excellent briefing and I commend both of you. I also think now that we have reviewed the set of facts, the third time for this Senator, that the President acted prudently and correctly.

The issue before the Congress seems to be two-fold and somewhat separated. Issue number one, even if other Members of Congress concur in my judgment that the President acted correctly, given the facts, we are never going to resolve that here this morning or perhaps for some time.

Issue number two is the one with which I am more acutely concerned. The Secretary has responded to Senator Boren with such

additional facts as to lay out procedures taken between the President and his principal deputies, namely you two gentlemen.

The question I put to both of you—and I think both are uniquely qualified to answer—the Secretary having been a former chief of staff; the Chairman having been a former national security advisor—upon reflection do you feel that the procedures followed in this case were in every respect equal to or exceeding those followed with previous administrations, given the nature of this crisis?

Secretary CHENEY. I think that is a good question, Senator. My experience over the years in this sort of crisis management, if you will, involving the President of the United States, was focused especially during the mid-1970s during the Ford years. We had a number of crisis-type situations involving the use or possible use of military forces to deal with the situation.

For example, the evacuation of DaNang, Saigon, Phnom Penh in the spring of 1975, the *Mayaquez* incident, where we did choose to use military force and 40 Americans died but we rescued the crew of the *Mayaquez*, the two evacuations of Beirut in the summer of 1976, all of these situations always involve a certain amount of confusion.

That is the nature of this kind of human endeavor. You could be right smack in the middle of the event, you could have been in the middle of the compound in Panama on the day in question and there would have been confusion, conflicting reports about what exactly was transpiring. That is the nature of the business.

What you attempt to do is to get the best information you can. I would argue this time around there was no shortage of information. There was a lot of information coming in, but some of it conflicted with various pieces of it, and you never really get things sorted out until after the dust settles.

I remember, for example, at the time we evacuated Saigon in the spring of 1975——

Senator WARNER. Sir, I do not have much time. Please be brief.

Secretary CHENEY. I will be very brief. We made a report to the President that the evacuation had been completed only to discover that there was still a company of Marines on the ground at our Embassy in Saigon that had not yet been lifted out. So that kind of thing happens.

My own personal view, based on my experience, is that the system we had in place, the communications back and forth between the President and the chain of command through the Secretary of Defense, the Chairman of the Joint Chiefs, the CINCSOUTH, was very good. Was it perfect? No, I am sure we could find ways to improve upon it. But on balance I thought the system worked as well as could be expected.

Senator WARNER. Could you also reply to the New York Times article this morning? I think the Chairman wisely, pursuant to an earlier question I asked, capped off one story but I think a second remains. The principal issue in dispute between Senator Helms and the White House is whether the rebels offered to turn over General Noriega to American authorities. Mr. Helms asserted that at 9 Tuesday rebel officers told an American general that while they lacked the firepower to deliver the general they invited the

United States to fight its way into the compound and apprehend him.

Now would you incorporate a response, General Powell, to that question and to my first question?

General POWELL. I have absolutely no basis to think that there is any accuracy or truth to that. It is categorically wrong.

Senator WARNER. The second question. In your experience as a security advisor to a President, do you concur in the observations of the Secretary of Defense?

General POWELL. Yes, but I must also say that I was in the Pentagon and I did not see the entire process at work, and so it seems to me that there can always be improvements, but I also believe the President was getting the information he needed to make timely decisions, even though the information may have been confusing and muddled. It was the information we had. There was no shortage of information going over to the White House, in my judgment.

I would like also to take the opportunity——

Senator WARNER. So the information flow was timely. It presented to the President the facts that were possessed by you and other intelligence agencies coming to you.

General POWELL. Right.

Senator WARNER. And there was adequate time for the President to make decisions based on those conflicts.

General POWELL. Considering that we were really almost minute-by-minute during the period 11 or 12:30 to 1 or something like that, yes.

I would like, if I may, Senator Warner, to take the opportunity to say that it was my first day on post, so to speak, and I was very pleased with the manner in which General Thurman handled the situation in Panama and the manner in which the SOUTHCOM staff, the Joint Staff, and my associates behind me handled the situation.

Communications were good. We were able to make the best conclusions we could out of the information that was available, and I think it worked extremely well.

Senator WARNER. Were there any conflicts between the intelligence advice coming to you and to the National Security Advisor and, of course, the Secretary between CIA and DIA?

General POWELL. No, none that I can think of.

I do not know of anything.

Admiral SHEAFER. [Deleted.]

Senator WARNER. Almost all what?

General POWELL. [Deleted.]

Senator WARNER. Mr. Chairman, I suggest that this committee, jointly with the Intelligence Committee, be provided with those documents relating to the intelligence flow.

Chairman NUNN. I would so request.

[The information was not provided.]

Senator COHEN. We would like to have the information passed by DIA back to you, General, and to Secretary Cheney, all of the records of communications that went back and forth.

Senator WARNER. My time has expired.

I thank the Chair.

Chairman NUNN. I thank you, Senator Warner.

Let me pause at this point briefly and see if General Kelly or either of our witnesses want to tell us now what we have heard that is sensitive, that we should not say out of the room, and why.

General KELLY. Admiral Sheafer is the intelligence officer. I will let him take a whack at that.

Admiral SHEAFER. I would like to see a transcript of these proceedings to be able to do that, first.

It is very difficult over a 2-hour period, in listening to what is going on, to be able to ascertain what is sensitive and what is not.

Senator EXON. It is even more difficult to go out to the press and say we don't know anything. Mr. Chairman.

Chairman NUNN. Well, that is the problem. Unless we can be told what would give away sources and methods, with all of the information that is flowing out there. I have not answered one single, factual question that has been asked of me by reporters or anyone else.

I have stayed off the air, I have stayed away from interviews, I have stayed off everything. The only comments that I have made have been on the floor of the Senate, relating to the Helms debate. It has been 4 days, now, and it is just impossible not to make comments. So the question is whether there is anything that comes to mind that would lead to sources and methods. We are not going to release the transcript. Don't worry about that. We will certainly have you review it. Is there anything that we ought to know when we walk out of this room that would give an indication to us?

Secretary CHENEY. [Deleted.]

Chairman NUNN. [Deleted.]

Secretary CHENEY. That's right.

Admiral SHEAFER. [Deleted.]

Chairman BOREN. Do you mean that we cannot say that we [deleted]. That's the key thing that they would like to know.

Admiral SHEAFER. [Deleted.]

Chairman BOREN. Well, I am sorry, Mr. Chairman, but I think that it would be wrong to withhold the fact from the American people, the very key fact, as far as I am concerned, that we knew reinforcements were going down certain routes, and that the President was not told and that the President was not asked whether or not we would block the roads.

Secretary CHENEY. Nobody ever said the President wasn't told that.

Chairman BOREN. But that is the question.

Secretary CHENEY. It was my understanding at the outset of the hearing that this was Top Secret/Code Word and that after we got through, we would be allowed to express our views as to what should be classified and what should not.

Chairman NUNN. That's right.

Senator COHEN. Also, Mr. Chairman, before we run off and say that he knew or was not told that there were forces coming down, we don't know if they were friendly to the coup leaders or were pro-Noriega at that point.

So I don't know that we can say that the President was told that there were pro-Noriega forces coming in by way of reinforcement if we did not know it at that point.

Chairman BOREN. But everybody knew who those forces were. [Deleted.]

Senator WARNER. But we didn't know what was in the minds of those leaders, whether they were pro or con.

Chairman NUNN. Let's not get into a substantive debate here.

I think those forces that walked in front of our Embassy [deleted].

Senator COATS. Nor an observation of a 727 bringing troops in.

Chairman NUNN. I think it is just staying away from tying [deleted].

General POWELL. Mr. Chairman, I tried to give the narrative in a way that would be usable to you. [Deleted.]

Chairman NUNN. [Deleted.] Just stay into the narrative.

General POWELL. Stay away from that [deleted].

Chairman NUNN. We ought to comply with that, it is a reasonable point. We can talk generally about the facts; but stay away from absolute times and minutes, basically talk in narrative terms, and do not attribute anything to certain sources. All right. Senator Exon.

Senator EXON. Mr. Chairman, thank you very much. I only have 5 minutes and want to shift attention for just a minute to a very important item that appeared in the Washington Post this morning.

I assume you saw the story that the B-2 cannot fly as far as the B-1. That is not what we had been told before.

Is there any grain of truth to that whatsoever?

Secretary CHENEY. Senator, I have not seen the report. I will be happy to check it out and get back to you.

[The information referred to follows:]

The B-2 has almost 50 percent better fuel efficiency that the B-1B (average nautical mile/pound) and requires less than half the air refueling support to accomplish SIOP missions. A range comparison is as follows:

Aircraft	Takeoff gross weight	Weapons load	Unrefueled range	
			All High	Hi-lo-hi (1,000 NM low)
B-2	371,300	8 SRAM 8 B83	6,300	4,400
B-2	358,000	8 SRAM 8 B61	6,600	4,500
B-1	424,900	8 SRAM 8 B83	5,070	3,570
B-1 w/ Bay tank	444,900	8 SRAM 8 B83	5,500	4,000
B-1	411,600	8 SRAM 8 B61	5,200	3,770
B-1 w/ Bay tank	431,600	8 SRAM 8 B61	5,600	4,200

STRATEGIC BOMBER RANGE MATRIX

AIRCRAFT	CREW	FUEL (lbs)	① T.O.G.W. (lbs)	WEAPONS LOAD (lbs)	RANGE (NM)		
					ALL HIGH UNREFUELED	HI-LO-HI UNREFUELED (1000 NM LOW)	HI-LO-HI UNREFUELED (OPTIMIZED)
B-1B w/ Bay Tank	4	214,600	444,900	8 SRAM/8 B83 37,300	5500	4000	4680
B-1B w/o Bay Tank	4	196,600	424,900	8 SRAM/8 B83 37,300	5070	3570	4500
B-1B w/ Bay Tank	4	214,600	431,600	8 SRAM/8 B61 24,000	5600	4200	4740
B-1B w/o Bay Tank	4	196,600	411,600	8 SRAM/8 B61 24,000	5200	3770	4560
B-2	2	>160,000	371,330	8 SRAM/8 B83 37,300	6300	4400	5300
B-2	2	>160,000	358,000	8 SRAM/8 B61 24,000	6600	4500	5400

Note: ① Take off gross weight.

B-2 HAS ALMOST 50% BETTER FUEL EFFICIENCY THAN B-1B FOR ABOVE PROFILES (AVERAGE NM/LB) AND REQUIRES LESS THAN HALF TIE AIR REFUELING SUPPORT TO ACCOMPLISH SIOP MISSIONS

Senator EXON. Have you seen it, General?

General POWELL. I have been reading other things in the Washington Post.

Senator EXON. Well, there are other things that others of us look at. I know you are familiar with that also.

There was a report in the New York Times, I believe, that someone had called Senator Helms on this for some assistance.

Was that relayed to the military by Senator Helms?

General POWELL. Not to my knowledge.

Secretary CHENEY. [Nods negatively.]

Senator EXON. Did you note that reference when reading the article?

Was there such a report, that somebody had called Senator Helms for assistance?

Chairman NUNN. The newspaper said that someone in Panama called Senator Helms and asked for assistance. That came to Senator Helms. All I know is what the newspaper said.

Senator EXON. But you do not know whether that was relayed or not by Senator Helms?

Secretary CHENEY. I never heard about it until after the fact.

General POWELL. Not to my knowledge, Senator.

Senator EXON. I am very interested and intrigued in listening to all of this. You have said that from the very beginning, these forces that were going to attempt a coup, first on Monday and then on Tuesday, time and time again and up until this moment, never indicated to any official of our Government that they would turn Noriega over if the coup had been successful.

Is that correct?

Secretary CHENEY. That is correct.

General POWELL. In fact, they said the contrary—that they would not turn him over.

Senator EXON. So, to the contrary, they would not turn Noriega, over to us.

It would seem to me to be a big argument that we should not touch the whole thing with a 10-foot pole. If the position was that they wanted us to get involved in one way or another, by blockage, or some of the things we obviously did, I might even—I am just bringing this up for the sake of argument—I might even criticize you for doing anything, if we were dealing with people, number one, about whom we had serious misgivings, as to whether or not the coup were going to be successful.

That is true, isn't it?

General POWELL. Yes.

Secretary CHENEY. Yes.

Senator EXON. Even if it were successful, what would we have? We would have a government in power that would not even cooperate with us enough to give us Noriega to face indictment here. I mean, it kind of sounds foolish on the face on it.

Was that a part of your decision or not?

Secretary CHENEY. Certainly.

As I have tried to mention at the outset, Senator, we had also been informed, when we were in contact with the coup plotter on Sunday night, that he did not plan to undertake the coup if Noriega were present.

So, there was doubt if they had him. And, once we found out they had him, it was clear they would not give him to us.

Then the question is if you are faced with that set of facts, do you intervene on behalf of the rebels anyway.

My recommendation and judgment was absolutely not.

Senator EXON. Isn't it fair to say that in some of the instances, the decision was made by you, General, or you, Mr. Secretary, possible in consultation with the National Security Adviser, that we should be extremely hesitant about use of force down there and that if there is any criticism to go around, it should not be at the President, but against you, because you were hesitant and, I take it from your testimony, exercised great restraint as to bringing our troops into a combat situation, given the circumstances?

Is that a fair statement?

Secretary CHENEY. I think that is a fair statement.

Looking back at the facts, Senator, I think we made sound policy, and knowing what I know now——

Senator EXON. I can't hear you. I'm sorry.

Secretary CHENEY [continuing]. Knowing what I know now, I would not change what we did.

Senator WARNER. You said you would not. Let's make that clear.

Secretary CHENEY. That's right.

Knowing what I know now, I would not change anything we did.

Panama is a unique situation because of our treaty rights there, because of major military presence.

The way the system works is I have the authority to deploy forces within Panama.

Now, when, for example, we undertake these exercises, that we do on a regular basis, I am notified by the Chairman that tomorrow an exercise is going to occur.

The presence of those troops there was authorized by the President. The rules of engagement they operate under are regular peacetime rules of engagement. [Deleted.]

That is standard operating procedure in Panama.

I would not commit them to be involved, for example, supporting one faction in a coup without the approval of the President.

Senator EXON. There is another question that I have. At no time in this coup or in any of the actions that were taken by either side in the coup—was there any direct or implied threat to American lives, whether they be civilian or military? Is that correct?

General POWELL. Correct.

Secretary CHENEY. That's correct.

Senator EXON. I have no further questions.

Chairman NUNN. Thank you, Senator Exon. Let me see where my "early bird list" is. Somebody tell me who is next.

Senator WARNER. Mr. Lott was here, Mr. Chairman, as soon as I arrived. I know that.

Chairman NUNN. Senator Wallop was here, too; but I think Senator Lott is next.

Senator LOTT. I will be very brief because I think most of the questions have been asked.

The only thing that worries me a little bit—and I don't want to drag this out, I just want to make sure that we are not getting tangled up in semantics—is whether he was offered or whether we would accept any thing and so forth.

The terms that are being used—General Powell, you make it very clear that if they turn him over to us on our property, we were to take him and get him out of there.

Okay. Everybody understands that.

Then the words were used that they would not turn him over, that it was clear they would not give him to us. So I just want to make sure. You say he was never offered. But did they say you can come and get him?

There is semantical misunderstanding here?

Secretary CHENEY. No.

Senator LOTT. They didn't say "you could come and get him," as opposed to "we'll deliver him to you?"

Secretary CHENEY. No. They made it clear that they would not turn him over to us.

Senator LOTT. If at 10 o'clock we had known he was in there and they said "Come get him," we would have been prepared to go and get him, wouldn't we?

Secretary CHENEY. You bet.

Senator LOTT. Even if it had been in the compound, at a specific building? It wouldn't have made a difference?

Secretary CHENEY. I would not need to go to the President to say "can we have Noriega?" If they had offered him to us, we would have taken him.

If they had said "you can go into the compound and get him," I am confident that we would have done that, too. It was never an option.

Senator LOTT. That is an important point.

Now, I am not on the Intelligence Committee, so I listened to all of this as a layman.

I worry a little bit about our intelligence. We did have helicopters, didn't we, American helicopters hovering over this compound area?

General POWELL. We had aircraft up. I don't know if they included helicopters.

Senator LOTT. Well, it is in the news.

General POWELL. Helicopters and A–37's.

Senator LOTT. Helicopters flying right over it, looking at what was going on?

General POWELL. I don't know if they were directly overhead.

I might need to check this, but General Kelly is telling me the liaison officers suggested that no U.S. helicopters directly overfly. The insurrectionists said don't have helicopters overfly because they could be shot down.

Senator LOTT. I saw one photograph of helicopters flying, and I don't know where they were.

General POWELL. I don't know if they were ours or not.

Senator LOTT. Okay.

Now there is an American compound about a mile from this area. Is that right?

General POWELL. That is correct.

Senator LOTT. About a mile?

General POWELL. Less than that, probably.

Senator LOTT. Less than a mile?

General POWELL. Yes, sir.

Senator LOTT. Didn't I pick up somewhere in one of these briefings, I think maybe from you, General Powell, that at some point there was some communication, kind of at the gate, between our people and their people?

General POWELL. What it turned out to be is the two liaison people from the insurrectionists came to the gate and then were escorted on to the base, and the conversation took place in General Cisneros' office. That is the conversation I was referring to.

Senator LOTT. And then there were conversations by phone, but there was some interference by Noriega's people with phone conversations?

I guess the point I am trying to make is that I get a little nervous about the quality of our intelligence in a relatively small area, in our time zone, where you are within walking distance, where you can walk down the street and just ask what is going on, more or less.

I am not on the Intelligence Committee. Maybe you all are satisfied with it. But, from a layman's standpoint, I am concerned about our intelligence work.

Secretary CHENEY. I don't mean to be controversial here, but let me point out that there is a long history about our intelligence activities in Panama. [Deleted.]

On July 26, the chairman of the Senate Intelligence Committee objected strenuously to it. He wrote a letter to the President——

Chairman BOREN. On behalf of the entire committee.

Secretary CHENEY [continuing]. On behalf of the entire committee.

Subsequently, there were other contacts with the administration—October 5, October 6. [Deleted.]

This is not a new issue. [Deleted.]

Chairman BOREN. Wait a minute, Mr. Secretary.

Senator COHEN. Against assassination.

Secretary CHENEY. I am sorry, but the [deleted] was shot down because of objections of the Senate Intelligence Committee.

Chairman BOREN. Mr. Secretary, wait a minute now. Let's set the record straight.

Senator Cohen will back me up on this, as will Senator Warner, and Senator Nunn.

First of all, the letter was written unanimously on behalf of the entire committee. It was immediately before the November election. There was a feeling that we did not want to co-opt the right of the new President, President Bush, who was going to be coming in, to make this decision.

Now, second, since that was rescinded, [deleted].

Is that not true? That is exactly what was done and is exactly what we walked away from once we had encouraged them to do so.

Secretary CHENEY. No. There are, in fact, [deleted] as the Senator knows.

Chairman BOREN. I think it is misleading to say that we did not allow you to do it.

Secretary CHENEY. The Senator from Mississippi asked questions about the quality of our intelligence and our activities down there, and the bottom line is that the present administration tried to have a [deleted].

Senator LOTT. Do you not have that authority now?

Secretary CHENEY. No.

Chairman BOREN. You do have that authority?

Secretary CHENEY. We do not have the authority [deleted].

Chairman BOREN. Sure you have the authority. [Deleted.]

Secretary CHENEY. I don't have that [deleted].

Chairman BOREN. Well, it talks about it, and I will be happy to supply you with it.

Senator LOTT. Well, I am not a member of that committee——

Chairman BOREN. We would be happy to have you come over and read it. We just want to be sure that you are not misled.

Senator LOTT. I just want to make sure that we have the best possible intelligence sources, and I want to make sure that Congress did not in any way impede us. My time has expired. Thank you.

Chairman NUNN. Let me say this. [Deleted.]

Senator COHEN. If it were me, I would take a break so that we can go and get the record, in terms of this issue being brought up. Frankly, it was brought up at a time in which we were approaching an election. [Deleted.]

Senator LOTT. But there have been subsequent actions since then.

Chairman NUNN. I think it would be helpful if we could get [deleted].

But before we do that and before it is quoted from, we will do that in the hearing, so that the room will be cleared of anyone who is not entitled to know that.

But I would ask the Intelligence Committee staff to get that.

[The information referred to follows:]

[Deleted.]

Chairman NUNN. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman.

General Powell, what time was the meeting between General Cisneros and the two coup leaders?

Admiral SHEAFER. At 11:30.

Senator LEVIN. Was that our time or their time?

General POWELL. It was 11:30 Panamanian time.

Senator LEVIN. At what time did the reinforcements arrive, their time?

General POWELL. They arrived over a period.

Senator LEVIN. The first reinforcements, the 5th?

General POWELL. The 5th never got there.

Senator LEVIN. The 7th?

General POWELL. I don't know, Senator.

Senator LEVIN. After the meeting with Cisneros?

General POWELL. I think it was almost the same time, or simultaneously. I am really not sure we have that degree of precision in our data.

I will have my guys look at it, look for it, while we are continuing.

Senator LEVIN. The meeting that you said took place in the office of General Cisneros, is that the same meeting that you told us yesterday was to update?

General POWELL. Essentially we are talking about the same conversation. We finally got all the details up. They came to the gate, and then at the gate they were escorted to a place where they could have a conversation.

Senator LEVIN. At that meeting with Cisneros, did they ask us for any assistance at all?

General POWELL. Let me read you this—this is the meeting.

Senator LEVIN. No, it's too long.

General POWELL. But it's very short.

Senator LEVIN. If you could just tell us, did they ask us for any assistance at that meeting, just give us that information.

General POWELL. It's four short sentences, and I will put this in the record, Senator.

They wanted to talk to officials; they said Noriega was under control; they had no intention to turn him over to the United States; they wanted an honorable exit for Noriega to retire, not leave the country; the coup leaders wanted us to control our own areas and they would control their areas; and important not to have incident or confrontation between U.S. forces and the coup; understand that the actions we were taking were force protection; ask for support to block Amador and Bridge of the Americas—which we had already talked about.

Senator LEVIN. That report is your answer then? That other than that, they asked us for no assistance?

General POWELL. They asked us for no additional assistance.

Senator LEVIN. The next question: did General Cisneros suggest that we would be willing to surround the compound to protect the success of the coup?

General POWELL. No. He would not have had such authority.

Senator LEVIN. If you had had the time to give him such authority, would you have recommended that to the President—if you would have had time to recommend it? Knowing that reinforcements were coming, would you have recommended to the President that we surround the compound so as to permit the coup to be free of the reinforcements?

Would you have recommended that?

General POWELL. No.

Senator LEVIN. Why?

General POWELL. At that time, based on what I knew of the situation?

Senator LEVIN. No. Knowing what you know now.

General POWELL. Knowing what I know now, the answer is still no.

Senator LEVIN. Okay. The next question——

General POWELL. Do you still want the why?

Senator LEVIN. No—I don't have time.

The next question: did we try to reach any of the people inside of the compound during the coup?

General POWELL. I think we made attempts, but they would not give us a phone number to get in on.

Senator LEVIN. We didn't have a phone number?

General POWELL. Not where they were. We did not know where they were.

Senator LEVIN. Did we make any efforts, by radio, telephone, or otherwise, to make contact with the coup people during the coup?

General POWELL. The only contact we had was——

Senator LEVIN. No?

General POWELL. The answer is no, then. I don't know.

Senator LEVIN. You did not know, or you don't know?

General POWELL. I do not know. We will find that for the record.

Senator LEVIN. Would you find out if we made an effort to make a contact with the coup leaders, and if we did not, should we not have? If we did not try to make contact.

General POWELL. If we did not try to, I would think we should have. Yes.

Senator LEVIN. And you will let us know whether or not we tried?

General POWELL. We will let you know whether or not we tried. I think we did try, but I am just not sure.

[The information referred to follows:]

Review of the [deleted] chronolog does not reveal any effort to contact the leaders of the coup inside the compound. Additionally, review of the USSOUTHCOM chronolog does not reveal any contact with the coup leaders inside the compound.

Admiral SHEAFER. The time of the movement of troops out of the airfield toward the Commandancia was [deleted].

Senator LEVIN. How long did it take them to get there?

How many miles is it?

General KELLY. It is a good way out of town. It is probably 15 miles out of town.

Senator LEVIN. Would it be about a half hour?

General KELLY. A half hour or more. It is 10 to 15 miles out of town.

Senator LEVIN. So, about the time that Cisneros was meeting with us, I'm sorry, that two people were meeting with Cisneros, they would have been arriving at about that time?

General KELLY. Yes.

General POWELL. Yes. It was all simultaneous.

Senator LEVIN. The two coup leaders would not have known that?

General KELLY. That's right.

General POWELL. Probably not.

Senator LEVIN. Is it your belief that they did not know there were reinforcements on the way?

General POWELL. I have no idea what they knew.

Senator LEVIN. And you don't know if Cisneros notified them?

General POWELL. I don't know that as a matter of fact.

Senator LEVIN. Should he have notified them?

General POWELL. I can't make a judgment of that. I don't know what information they had.

Senator LEVIN. Well, wouldn't they have asked us for help if they knew there were reinforcements on the way? Wouldn't they have then said oh, my gosh, they are coming by air?

General POWELL. Senator, you are asking another hypothetical question. I just can't give an answer.

Senator LEVIN. Well, would you find out for us if Cisneros notified them?

General POWELL. They were there for an hour and a half roughly.

Senator LEVIN. Pardon?

General POWELL. They were there for roughly an hour and a half.

Admiral SHEAFER. They arrived at 11:18 or 11:10, and SOUTHCOM got the word about 12:30.

General POWELL. They stayed there for a rather extended period of time. To the best of my knowledge, General Cisneros did not inform them of this, and I am not even sure without checking whether General Cisneros knew because he was, in effect, in this meeting. He was no longer in the SOUTHCOM Command Center, and I am not sure what information he had in his head.

Senator LEVIN. Do you mean he didn't know that those troops had arrived.

General POWELL. Senator, I said I don't know. I didn't say that he did not know. I just don't know.

Senator LEVIN. Would you check that?

[The information referred to follows:]

Review of USSOUTHCOM chronolog does not reveal if General Cisneros knew the loyalist reinforcements were on the way to the compound.

Senator LEVIN. My time is up.

Senator WARNER. The record should show that General Cisneros was in a different geographic location than SOUTHCOM Command Center. That is my understanding.

General POWELL. At this point, yes.

Chairman NUNN. Thank you, Senator Levin.

Senator Specter is next.

Let me say that we have a vote on the floor and Senator Boren would like to ask one more question.

Senator Specter, would you like to take a stab at finishing yours now?

Senator SPECTER. Yes. Thank you very much, Mr. Chairman.

Secretary Cheney, General Powell, I associate myself with the comments made by Senator Warner.

I do not think it is possible, after the fact, to "Monday Morning Quarterback" the situation.

I do think that there is an underlying question as to whether, by hindsight, we were sufficiently aggressive, and I understand what you are saying, Secretary Cheney, that you think the approach was proper. I understood General Powell to say that, too.

I think that Senator Boren raises a good question about an alternative route. That is a military judgment that I would not want to comment upon.

I would want to discuss very briefly the issue about taking General Noriega into custody. You have said that if he were offered, you would have taken him. But they said that they wanted to keep him and put him into retirement.

Chairman NUNN. Excuse me, Senator Specter. We are going to go to vote. I will leave you here as long as you would like to stay. We will be back. We will be back within about 10 minutes.

Secretary CHENEY. Mr. Chairman, if I might, I have a meeting with the Soviet Defense Minister in about 45 minutes, and a press conference this afternoon.

Chairman NUNN. What time do you need to leave here, Mr. Secretary?

Secretary CHENEY. I need to leave here in about half an hour.

Chairman NUNN. Okay, we're good.

Senator SPECTER. Senator, do I understand that I will be acting chairman?

Chairman NUNN. Right.

Senator LEVIN. Should I stay here? [Laughter.]

Chairman NUNN. But of the Intelligence Committee, not the Armed Services Committee. [Laughter.]

Chairman BOREN. I trust you. Go ahead.

Senator SPECTER [presiding]. Okay. Thank you.

The statement that they did not want to give him up, the thing that runs through my mind is how aggressive we were in asking for him.

This is an unusual situation because, while it is obviously predominantly a military situation, there was a warrant of arrest out for this man. So, you have additional orders to take him into custody on the charge of having violated a U.S. criminal statute.

I think the principal purpose, at least as I see it, of this hearing is not to assess blame, because I think that you functioned as well as you could under the circumstances, but we need to take a look at the future in terms of how aggressive we might be and how aggressive you might be in the context of a warrant being outstanding for him.

We are pushing on this extraterritorial jurisdiction in a lot of ways.

I have talked to both of you about this in other contexts. I would hope that, as a matter of the future, you would not wait for him to be offered, and if they say they want to keep him, that you would take another step and would say that we have a warrant for his arrest, we want him and we would like to take him.

I would be interested to know if the factor of the warrant of arrest figured in your thinking in any way, or gave you additional impetus or armed you further to be more demanding in the circumstances, realizing that it is essentially a military operation.

You are not U.S. Marshals down there, but I would be interested to know to what extent, if at all, being armed with that warrant for arrest was a factor in your consideration.

Secretary CHENEY. I think it would be fair to say, Senator, that everybody involved, at least at the policy level, is well aware of how much we would like to return General Noriega to the United States to stand trial under those indictments.

He has been a problem for us now for long before I arrived in my present position, and I cannot imagine that there is anybody who does not understand that we badly want him.

I would defer to the Chairman in terms of what exactly transpired in terms of the conversation.

General POWELL. At the conservation, after they told us that they had no intention of turning him over, General Cisneros made the point that we are prepared to take Noriega into custody if they just brought him to Fort Clayton right there, and the answer that the coup liaison, the officers, gave to us was that there was no intent to turn anyone over to the United States.

Now, in my conversations with General Thurman, we started talking about what is legal authority and how do we get him out of country. [Deleted.]

So we were fairly aggressive.

Senator SPECTER. I understand what you are saying.

My request to you for future reference if the situation arises is I would ask you to consider being a little more aggressive in trying to execute the warrant. You have to make that judgment.

I don't expect you to start a war to execute a warrant of arrest, but this situation is going to arise in a variety of contexts.

We know we have only arrested one man, Fawah Unis, under our new approach, and I would hope that we would be doing more in an aggressive way. But I do not press this beyond that point because I think it is essentially a military judgment to be made at that point.

Secretary Cheney, you made a comment that the Intelligence Committee prohibited action by the Executive. You used a pretty strong term.

We have never understood on the Intelligence Committee that we have that much power.

There is a big controversy as to what the obligation is of the Executive to notify us about covert actions. We all know what has happened in and around "Contra." We know that there is a current controversy between the Intelligence Committee and the executive branch.

Senator Cohen and General Scowcroft are undertaking that discussion. But I do not think that we have any power to give you any prohibition.

You notify us and we tell you what we think.

But isn't it true, Secretary Cheney, that essentially it is the President's call, that we do not have the authority to impose any prohibition?

Secretary CHENEY. If I may, on Panama, Senator, [deleted].

That was denied.

Senator SPECTER. Secretary Cheney, I am going to go right back. If I do not leave, I will miss the vote. I have only 3½ minutes and it will take that much time.

But I do want to pursue this.

[A brief recess was taken]

Chairman NUNN [presiding]. Let's go back on the record.

Senator GLENN. Well, the Secretary is not back yet.

Chairman NUNN. Is the Secretary coming right back?

General POWELL. He will be right here, sir. He is on the phone.

Chairman NUNN. Then why don't we go ahead.

Senator Glenn has not had his time.

Senator GLENN. No, not yet, and my questions are for General Powell, anyway.

Chairman NUNN. Excuse me. Senator Boren had one other question that he wanted to ask.

Chairman BOREN. It should be very brief.

Senator THURMOND. I have not had a chance, either.

Chairman NUNN. You have not yet? Okay.

Chairman BOREN. I just want to go back to the clarification, General Powell, of whether or not the President was explicitly informed. Obviously, at the 1:45 meeting, it was too late.

Was the President explicitly interrupted, and informed.

General POWELL. I did not inform him. I was in the Pentagon, and I do not know whether any of his own National Security officials or part of the National Security Council staff team had that information and whether he was or was not informed.

It also coincided with the visit of the President of Mexico.

Chairman BOREN. I understand the terrible situation that you were all faced with. It could not have been a worse day.

General POWELL. So, I cannot answer your question specifically except to say that I did not inform him of that fact. But I don't know what information was available to him.

But I would like, if I may, just to continue for a moment, Senator.

Even if, I mean, if everybody were present, if we were all in the room, and this factor was made known to us, and we had time to react to it, which I don't think we did have time, to react to it, but, even if all of those conditions were present, the issue facing the President at that point would have not been whether or not to block a road, but whether or not to——

Chairman BOREN. Use force.

General POWELL [continuing]. Use force, Armed Forces of the United States, in direct conflict with PDF forces.

I also want to point out that we had no forces in that part of the city. We would have had to use forces to move through the city, to

get to a point where we could block, or airlift them. It is most unlikely we would have been able to respond in the amount of time required to perform the blocking.

Further, it is not entirely clear from what was happening in the Commandancia and when Noriega recaptured control from the people who were holding him, whether or not the blocking of the 7th Company would have been decisive or not.

What I think I would have said to the President is: Mr. President, in light of this muddled situation, in light of the confusion, my best judgment to you is if you are going to use the Armed Forces of the United States, let's not use them for a roadblock that may or may not have something to do with the outcome of this, because if we are in for a dime, we're in for a dollar; and if I'm going to be in for a dollar, I don't want to be in for a dollar with the gang that couldn't shoot straight.

Chairman BOREN. That's right.

But the bottom line is you don't know if the President was informed.

General POWELL. No. I can't tell you what information the President was receiving at that time because he was in meetings.

Senator GLENN. What was this, whether the President knew what?

Chairman BOREN. [Deleted] was moving past our Embassy and so on. I just wondered whether the President was informed.

The rebels were obviously wrong about the route through which reinforcements would move, as they were coming a different route. Was he asked about that, because there was a lot of discussion about blocking the road from Amador, or blocking the bridge, and so on?

I just wondered if the President was ever asked about blocking the actual route of the reinforcements.

General POWELL. As you also know, Senator, [deleted].

Chairman BOREN. And the CIA was not at the 9 o'clock meeting at the White House on Tuesday morning, is that correct?

General POWELL. Monday morning, I think you are referring to.

Chairman BOREN. Was it Monday morning?

General POWELL. We had meetings both on Monday and Tuesday. They were not at the one on Monday morning. The Secretary and I were there.

On Tuesday morning, when the Secretary returned from Gettysburg—if I may, Mr. Secretary—I would have to yield to the Secretary. I stayed at the Pentagon because things were breaking so quickly, and the Secretary was there.

Chairman BOREN. Was the CIA there?

Secretary CHENEY. No.

Chairman BOREN. You see, [deleted].

I am wondering, just from the point of view of my responsibility, is that what the CIA really said? Were they shooting straight with us when they said they gave that advice? Or, if they gave that advice, did it really get through the policy-makers, to you and to General Powell.

Senator WARNER. Mr. Chairman, I would have to intervene to say that I interpreted the CIA briefing last night somewhat differ-

ently than perhaps the equivocation, or the directness, that you have expressed this morning. But I will leave it at that.

Chairman BOREN. I want you to read the final transcript, because I asked, I said, in the final analysis, what did the CIA think. [Deleted.] That, I think, is an exact quote.

Senator WARNER. Well, that may be a wrap-up.

Chairman NUNN. But I think you have to put into perspective that [deleted].

Chairman BOREN. That's right.

Chairman NUNN. [Deleted.] I mean, I think both of those sides have to be brought into it.

General POWELL. The assessment we had in our mind on Monday morning, and which I believe we discussed with the President, was that the intelligence people, the CIA, as well as others, [deleted].

Secretary CHENEY. And there was also, Mr. Chairman, if I might say on that point, this. [Deleted.]

Chairman BOREN. Yes, that is exactly what was said.

Secretary CHENEY [continuing]. [Deleted.]

Senator WARNER. Mr. Chairman, may I interrupt Chairman Boren in his question which I think the Secretary was about to answer, as I view it as an important question—the CIA's absence on Monday—and I am not sure whether they were absent Tuesday—and I am not sure if there was a reason for their absence at the Presidential briefings and presumably the decisionmaking sessions. Was that not your question?

Chairman BOREN. Yes.

Secretary CHENEY. Well, the fact is that we receive on a daily basis senior officials in the administration——

Senator THURMOND. Would you speak a little louder so that we can hear you.

Secretary CHENEY. The President, the Vice President, the President's National Security Adviser and Deputy, myself, the Chairman of the Joint Chiefs, the Secretary of State, every morning we receive a briefing from the CIA. That is standard practice.

The various command posts in town exchange a great deal of information as well.

Now, Judge Webster was out of town during this period of time and was not present. The meetings took place on relatively short notice.

But at the staff level, at the working level, I think both in Panama as well as up here, there were contacts between our people in the Pentagon and the CIA, et cetera.

Now, there were meetings where Secretary Baker was present, and at least one meeting where General Powell was present, and other meetings when they were not present.

At the last meeting we had before the coup collapsed, General Powell was not present because he was back over at the Command Center at the Pentagon. Jim Baker was not there because he was tied up, I guess with Salinas. But I talked to Jim just before we went into the Oval Office to make sure he was plugged in on these discussions.

So, under the circumstances, I felt that we had everybody as well plugged in as you can.

I mean, that is not the only activity that is underway, and it is not unusual to get coup reports. You also, frankly, do not drop everything else you are doing just to deal with a problem in Panama.

General POWELL. I did talk, to Senator Warner, directly several times on Monday, as well as Tuesday, with Acting Director Kerr, who I have known for some time.

Senator WARNER. Thank you very much.

Chairman NUNN. Senator Glenn, then Senator Thurmond.

Senator GLENN. I am not sure that I understood this correctly, General Powell, when you first went through it here. It was right at the end of your chronology. You indicated that there was a decision made to go out and block certain roads—"block" was the word that you used—albeit late in this process, and they were not the roads by which we expected people to come in. But you did use the word "block."

Now, as I understand it, that is the first time that we really authorized U.S. forces to go off what would normally be considered U.S. territory, our normal positions, not just maneuvering, not just on alert, not just in position to do something later. We were actually out on Panamanian territory at that point.

What were their rules of engagement at that point? Were they really authorized to block that road?

General POWELL. We put them in blocking positions on the road. We gave them no change in the rules of engagement because it was our judgment that they would have ample time before they had to actually execute a blocking mission for us to decide whether or not we wanted them to engage.

Senator GLENN. But what are the normal rules of engagement for them?

General POWELL. [Deleted.]

Senator GLENN. But if what we thought was going to happen did not happen, and there were some Panamanian forces that came down that road, and they came through that position, what were our people authorized to do—stop them?

General POWELL. At that point, I am quite sure they would have called back [deleted].

Senator GLENN. Then that is not a roadblock.

General POWELL. They were in position to block forces coming down. But they did not literally stop traffic.

Senator GLENN. Well, that is different. They were authorized to stop a roadblock, to stop anybody coming through?

General POWELL. Correct me, here, someone—they did not put physical barriers on the road.

Admiral SHEAFER. Correct.

General POWELL. They were in position that if forces started moving their way and they got direction from the National Command Authority, they could instantaneously have taken action to block the road and stop the forces.

Senator GLENN. [Deleted.]

General POWELL. [Deleted.]

Senator GLENN. [Deleted.]

General POWELL. That's correct.

Secretary CHENEY. Well, no.

Senator GLENN. But if they had——

Secretary CHENEY. Just a minute.

Senator GLENN [continuing]. [Deleted] road and you have a Panamanian force coming down that road, and the Panamanians say I have a bulldozer and we are going to push your trucks out of the way, and they didn't fire a shot, and they started pushing trucks out of the way, what would we do?

General POWELL. We did not have trucks in the way at that point, sir.

Senator GLENN. What?

General POWELL. We did not have trucks in the way.

Senator GLENN. Then it was not a roadblock?

Secretary CHENEY. Senator, we have gotten wrapped around this axle of semantics as to whether we were or were not blocking. I clearly had signed off on, and I had signed off on, the General had instructed that we were to be positioned in such a way that we could, in fact, interfere with the movement of Panamanian forces, the 5th Company and the 7th Company if they moved toward the area. But that never happened. They never moved.

Senator GLENN. Okay. So this was not a roadblock, then.

Secretary CHENEY. Yes. And let me clarify another point.

In terms of the rules of engagement, this is a subject before General Powell arrived on board, which we spent a lot of time on earlier this year, when we reinforced the troops in Panama. After the Lebanon incident of some years ago, there was a lot of time and effort devoted in the Department to looking at the question of the rules of engagement. We now operate under what we called "peacetime rules of engagement."

Senator GLENN. What was that?

Secretary CHENEY. We operate under what are called "peacetime rules of engagement." [Deleted.] Those are the rules they operate under. [Deleted.]

Senator GLENN. Well, I don't necessarily disagree with that, either. But this was the only time in this whole instance that I know of where we put troops out there and said okay, they are out there and blocking, and they are off U.S. territory, they are out on Panamanian territory.

Secretary CHENEY. Not necessarily.

Howard Air Force Base is a U.S. defense site, for example, and that is where the Marines were deployed, over to the West.

Senator GLENN. This is the road coming through——

Secretary CHENEY. Through the West.

General POWELL. We never actually——

Senator GLENN. What you are saying is they would not have had authority to fire? Or are you saying they would have had authority to fire?

Secretary CHENEY. [Deleted.]

Senator GLENN. But this is different. This is a public road, where the Panamanians might have surprised us and sent some troops down. I don't understand yet—were we committed to stopping them?

Secretary CHENEY. We were not at that point committed to stopping them until the President had said okay, fire.

Senator GLENN. It would have required a Presidential decision, then, to really block that road and stop anybody who tried to come through? Is that correct?

Secretary CHENEY. With force, yes, sir. That's right.

Senator GLENN. Thank you.

Chairman NUNN. Senator Thurmond.

Senator THURMOND. Thank you, Mr. Chairman.

Mr. Secretary, let me follow up on a question of Senator Glenn. As I understand it, this was a public road, but it was through Fort Howard, where we had our troops. Is that correct?

Secretary CHENEY. That was one of the locations.

General POWELL. Yes, sir.

Senator THURMOND. In other words, we put our troops out there, those troops out there to defend our troops, more or less, and not necessarily to interfere with the Panamanian operations. And, if our troops were jeopardized or threatened, they were there to protect our interests.

Is that correct?

Secretary CHENEY. That is correct.

By way of background, it is important for the members to understand that we have a lot of forces in Panama and they are out all the time. We are probably running an exercise this morning. We ran one yesterday morning. We, the Marine detachment, that would have stopped the movement of the 7th Infantry Company if we had given the order to stop the movement of the 7th Infantry Company, which we never had to give, because they never came that way—that company already planned to be there that morning anyway on one of our regular exercises, in light armored vehicles, where they patrol roads and so forth.

We have done helicopter landings, amphibious assaults. We have confronted the PDF repeatedly, to emphasize our right to use certain facilities in Panama. So this is an activity that is going on all the time.

We were conscious on Tuesday night, when we directed the deployments for Tuesday morning, of the possibility that there might be a coup and that we might want to make a decision to intervene militarily, and therefore we made certain that we had forces that were located in such a way that if we made a decision to intervene militarily, they could have done it.

Senator THURMOND. In other words, if you had any information that the coup was existing or might exist, and that it might jeopardize our troops, we had the right to put those troops that are in our area, simply because the public road passed through was no reason why we shouldn't put the troops there to defend ourselves and protect our own interests?

Secretary CHENEY. That is true.

Senator THURMOND. Now, I want to ask you this. Were you satisfied with the intelligence that you were receiving, whether it was timely and accurate?

Secretary CHENEY. I would guess, my impression is, looking back on it now, that we had a lot of intelligence information flowing in. [Deleted.]

But there were two things that made it difficult to deal with. One was the confusion that it reflected, which was an accurate reflection of what was, in fact, going on on the scene.

I mean, if you have a confusing situation and you get accurate reporting on it, your report is going to say that it is confusing, which is what happened. You had these conflicts between different pieces of information, something you had picked up Sunday night that we are not going to do the coup if Noriega is present, and something that you pick up Tuesday morning—Noriega is in the compound when the coup went down. [Deleted.]

That is the nature of that kind of situation. You just have a lot of stuff coming in. There is no sort of single place where you can go and say that is good stuff. How you pull that together and manage it and analyze it and present it to the decision-makers is an important question that we always wrestle with in the intelligence business.

When something is breaking this fast, you are basically dealing with raw reports. We are getting in the Situation Room at the White House, and the NMCC at the Pentagon, and over at State, you are getting the raw material being fed directly in, and there is no real time to process it, except just to feed it on to the policymaker direct.

Senator THURMOND. We did not intervene there. But if we had decided to intervene there, would the word have come from the President to our Ambassador there, or come directly from the military?

Secretary CHENEY. The military.

The Chain of Command is from the President to me, then down to the CINC. The way I operate, at my discretion, it is to do it through the Chairman. Goldwater-Nichols authorizes me to operate through the Chairman, in terms of Chain of Command, and that is the way I choose to operate.

Senator THURMOND. And no word came down to intervene, therefore we did not intervene?

Secretary CHENEY. That's correct.

Senator THURMOND. Now, Senator Exon asked an interesting question about whether the rebels offered to turn Noriega over to us.

I understood Senator Helms as saying in the Cloak Room yesterday that he talked to somebody down there who said that the people in charge of Noriega offered to turn him over to us. If it did, it wasn't in our territory. It must have been in their territory and they wanted us to come and get him, rather than for them to bring him to us. Is that right?

Secretary CHENEY. No, Senator.

As the Chairman stated, Chairman Powell, we were never offered Noriega.

Senator THURMOND. In other words, they did not offer to turn him over to us?

Secretary CHENEY. No. They made it clear they did not want to give him to us—not on our territory and not on their territory. They said we do not want to give you Noriega.

Senator THURMOND. I got the impression somehow that, even if they had offered to turn him over, there was some question then as

to whether we should intervene or just accept him, because if they had turned him over, we would accept him.

But what kind of government would they establish down there? I imagine the President would have had to have known the facts before we would act too quickly on that.

Secretary CHENEY. Well, I don't think there is any doubt but what if we had had the opportunity to get our hands on Noriega, that we would have taken it. The doubts about Noriega, the doubt about our ability to get Noriega if we did intervene, was one of the major reasons why we did not intervene.

Senator THURMOND. The Washington Times had a big article about confusion in top level decisionmaking. Do you know of any confusion regarding any decisionmaking? Or so far as you are concerned, did you feel that what was done was done properly and in accordance with the rules and regulations?

Secretary CHENEY. I think what was done was done properly, Senator. I would not argue that you can never improve upon how the mechanism works. When you deal with one of these situations, you always learn from each incident. But I think, given what I knew then and given what I know now, I would not have done things any differently with respect to the decisions that were made.

Senator THURMOND. I think there is one thing that we have to be careful about in this committee in speaking to the press or otherwise. I know it is a temptation to jump on people, to jump on the President, to jump on you or to jump on other people. But we have to be very careful not to reveal any information that hamper us in the future from handling this situation.

I think we have to be very careful about that, about say, revealing certain information that might assist Noriega in his operations, that might assist him in hurting people that would not be hurt without it. Thank you, Mr. Chairman.

Senator NUNN. Thank you, Senator Thurmond.

Let me ask one question and then I will defer to Senator Specter. Mr. Secretary, I know you have to go. This lead Wall Street Journal article said nearly 3 weeks ago that the wife of Major Giroldi relayed a message to U.S. officials here that her husband and several other Panamanian military officers wanted help in mounting a coup against General Manuel Noriega. True or false?

Secretary CHENEY. The first I saw of that report was in the newspaper this morning, Senator. I am not aware of any previous contact. It may well be that they contacted somebody in Panama, [deleted] of somebody else. But I have no way of knowing that.

General POWELL. Based on the amount of time I had this morning before coming up here, Senator, after learning of this, I have found no basis for that report to be in any way accurate.

Secretary CHENEY. We have a lot of people in Panama. I cannot say for absolute certainty that she did not talk to one.

Chairman BOREN. She may have said it over coffee with her next door neighbor.

I would agree that we did not receive any reports last night that would indicate that.

Senator NUNN. Senator Specter.

Senator WARNER. Mr. Chairman, on that point, it seems to me that one Member of Congress apparently called in to SOUTHCOM.

Was any information relayed to him? If so, can you share it with us and share the name of that Member of Congress?

General POWELL. It was reported to me late Tuesday afternoon that either Senator Helms or one of his staffers had attempted to contact Senator Thurmond about the middle of the day. I'm sorry—excuse me, sir. I meant General Thurman. Most most sincere apologies. [Laughter.]

But you are a general, so I am really not inaccurate. [Laughter.]

I meant Gen. Max Thurman. He, being quite busy at the time, was not able to have his associates return the call or anybody return the call later in the afternoon. Then it was passed to us as a request for information from Senator Helms.

I was occupied at the moment, so I asked General Kelly to return the call to Senator Helms' staffers at that point.

General Kelly did talk to Senator Helms' staffers, and then I tried to reach Senator Helms later in the evening, at about 10:30, and was unable to get him.

Senator COHEN. What was the content of this request?

General POWELL. Requesting information about what happened.

I will let General Kelly fill you in.

Senator NUNN. When was this? Was this after the coup had failed?

General POWELL. The call was initiated while it was ongoing, and we returned it.

I will let General Kelly pick it up from there.

General KELLY. As I recall, he called, "he," Senator Helms or his representative—I think it was Helms—called at around 1 o'clock in the afternoon. Thurman couldn't return the call.

Thurman called later and could not get hold of the Senator and talked, I believe, to a Mr. Sullivan, who said what's going on down there. [Laughter.]

Senator WARNER. Oh, yes, we know him well.

General KELLY. Sir?

Senator WARNER. We know Sullivan well. What information did you pass on to Sullivan?

General KELLY. It was an open line, so all we could say to him was that we were taking care of U.S. force protection, protecting American lives, protecting American property, et cetera.

I was then asked to call Mr. Sullivan, which I did. I told him that I would not divulge any information because I worked for other people and they would have to get it through them, but that we were going—"we" being our bosses—were going to be briefing the next morning, and if we were directed to brief Senator Helms, we would be happy to do that.

Admiral SHEAFER. The first call by Sullivan into the Pentagon was at about 11 o'clock. He called my Duty Director of Intelligence and asked the same questions.

Senator NUNN. Was this 11 o'clock Tuesday?

Admiral SHEAFER. Yes, sir—in the middle of the coup. My DDI informed him that we needed to go through the Legislative Liaison section of DIA, in which case he got very upset and hung up.

Senator NUNN. Senator Specter.

Senator SPECTER. Thank you, Mr. Chairman. Secretary Cheney, I was on this point when I had to leave to get within the time limits

on the vote. Let me violate one of my rules and put the three issues all in one question, because I know the time is very limited. As I had said before departing, I had made a notation that you have used the words "the Intelligence Committee prohibited the executive branch."

Secretary CHENEY. [Deleted.]

Senator SPECTER. Yes. Well, maybe I will take the questions one at a time.

We really cannot prohibit you, as I understand the law—and I would be interested to know if you have any different view on that—we can express an opinion, but it is the President's call.

Secretary CHENEY. At the time this transpired, of course, I was not in the executive branch, Senator. I was a Member of the House Intelligence Committee.

The President has the authority, I believed as a Member of Congress and does now, as Secretary of Defense, under existing statutes, to undertake covert action without the approval of the Congress. He is required by the statute to make good faith efforts to notify the Congress. It is nearly always done in advance. It has nearly always been done.

There have been one or two instances, like Iran-Contra, where notification was withheld. Now, what happened? It is my understanding, the last time around, again, viewing it from the perspective of a member of the House Intelligence Committee, that when the administration asked for the authority, sent up the Memorandum of Notification to the Intelligence Committee, on [deleted].

The President made the decision—President Reagan at the time—to withdraw that Memorandum of Notification and cancel the plan. But he did it specifically at the request of the Senate Select Committee on Intelligence.

Senator SPECTER. At the present time, what are the differences in terms of the executive branch undertakings as a result of the later [deleted] contrasted with the first finding?

Secretary CHENEY. Well, it is my understanding—and I want to go back and check the record to be precise, Senator—[deleted]. That was the one that was withdrawn by the President after the Senate Select Committee on Intelligence objected to the [deleted].

Senator SPECTER. I think there is an interest, with which I concur, in putting the [deleted] into the record so that the record is clear, in terms of precisely what was done as a result of what the Intelligence Committee did.

Chairman BOREN. Let me say that we will put the [deleted].

We have approved all the authority requested by President Bush. [Deleted.] I have a letter here from Director Webster, which I will also put into the record: [deleted].

[The information referred to follows:]

[Deleted.]

Chairman BOREN. Then I quote [deleted]. So, there is very broad authority.

The other action was taken unanimously by the committee. Senator Cohen was, I think, very open about his feelings at the time, as was every other single member of the committee, both Democrat and Republican, that on the eve of the election, we simply wanted

to leave the options open to the next President to have his right to decide policy. [Deleted.] Since this President has come to office, we have approved all the authority that the President has requested.

Secretary CHENEY. Senator Specter, the only reason I brought it up is I think it is an interesting parallel. The President, of course, has been criticized for his decision not to use lethal force, to topple Noriega, in this case. [Deleted.]

Senator SPECTER. Secretary Cheney and General Powell, just one further comment on the other subject that I discussed with you, and that is the execution of the warrant of arrest. You have the Attorney General to give you advice, but I just want to make one short statement.

The Supreme Court of the United States has held the taking into custody of people and bringing them back for trial under the most extraordinary circumstances, including kidnapping. The Supreme Court decision, including "forcible abduction" language used by Justice Hugo Black and other civil libertarians is that when you are in one of these crunch situations, however you bring them back, as long as they are alive, they can be tried without any concern about legalities or due process of law.

General POWELL. We had no problem with that, Senator. In fact, [deleted]. So we were not the least bit worried about that.

Senator SPECTER. I am glad to hear that. Thank you.

Chairman NUNN. Senator Cohen—and then we have a vote on.

Senator COHEN. Mr. Chairman, I would like just to clarify one thing. I have not been one to criticize the administration for the action taken. In fact, gentlemen, I have been defending you. So I take a little bit of offense at anyone trying to perhaps put any blame on the Senate Intelligence Committee. I want to put that finding in context.

[Deleted.] I will put the whole thing in the record.

[The information referred to follows:]

[Deleted.]

Senator COHEN. There were substantial risks to our interests in that region, coming at a time when we were going into the last months of a campaign. That was the reason why the Senate Intelligence Committee wrote unanimously to the President don't undertake this under these circumstances. I think the implication as to who lost Panama or who lost Noriega is going to have all kinds of mischievous results if we get into that.

Secretary CHENEY. Senator, I raised it only in this meeting. I have not been critical of the recommendation of the Senate Intelligence Committee. President Reagan in the end agreed and did not go forward, although he could have legally.

My point is that those same arguments that you just listed were just as appropriate on Tuesday of this week, when the President decided not to use military force to intervene on the side of the rebels inside Panama.

I apologize, gentlemen, but I have to go and meet the Soviet Defense Minister.

Chairman NUNN. Mr. Secretary, General Powell, thank you very much for your time. It has been very helpful this morning.

[Whereupon, at 1:02 p.m., the committees adjourned.]

1989 EVENTS IN PANAMA

TUESDAY, OCTOBER 17, 1989

U.S. SENATE,
COMMITTEE ON ARMED SERVICES AND THE
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC.

The committees met, pursuant to notice, at 10:02 a.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (Chairman of the Committee on Armed Services) presiding.

Present: Senators Nunn, Exon, Levin, Kennedy, Gore, Warner, Thurmond, Cohen, Gorton, Lott, and Coats.

Committee staff members present: Arnold L. Punaro, staff director; Richard D. DeBobes, counsel; Marie Fabrizio Dickinson, assistant chief clerk; Lucia M. Chavez, security control officer.

Professional staff member present: Richard E. Combs, Jr.

Minority staff members present: Patrick A. Tucker, minority staff director and counsel; Romie L. Brownlee, deputy staff director for the minority; and Judith A. Freedman, professional staff member.

Committee members' assistants present: C. Richard D'Amato, assistant to Senator Byrd.

OPENING STATEMENT OF SENATOR SAM NUNN, CHAIRMAN OF THE ARMED SERVICE COMMITTEE

Chairman NUNN. The committee meets this morning to receive testimony from Gen. Maxwell Thurman, Commander in Chief, U.S. Southern Command, on the events in Panama surrounding the attempted coup earlier this month.

I talked to Secretary Cheney last week about having General Thurman and Brigadier General Cisneros testify, and I ask that my subsequent letter to Secretary Cheney formalizing that request be entered into the record, without objection.

[The letter referred to follows:]

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, October 13, 1989.

Hon. RICHARD B. CHENEY,
Secretary of Defense, The Pentagon,
Washington, DC.

DEAR MR. SECRETARY: This is to confirm my request conveyed to you in our telephone conversation earlier today concerning this Committee's inquiry into the coup attempt in Panama in early October.

The Armed Services Committee, in coordination with the Select Committee on Intelligence is inquiring into the circumstances surrounding that matter. Accordingly, I would request that General Thurman and Brigadier General Cisneros be made available to testify before this Committee next week, probably towards the end of the week. General Thurman's testimony as the Commander-in-Chief, U.S. Southern Command, and Brigadier General Cisneros' testimony as the senior military official who met with a delegation of the rebels are extremely important to our full understanding of the circumstances surrounding the coup attempt. I can understand, of course, that you may not want to have both of these individuals away from Panama at the same time. Accordingly, although we would definitely prefer to have the benefit of the testimony of both of them, if only one of them can be made available, we would ask that you make General Thurman available. In that case, we would ask that General Thurman be prepared to testify as to the conversations between Brigadier General Cisneros and the rebel delegation, both what was said by our officials and their delegation, and any other matters which General Cisneros may be aware of that might shed light on the coup attempt.

Once again, I appreciate the cooperation that you and other officials of the Department of Defense have provided to this Committee in connection with this matter.

Sincerely,

SAM NUNN, *Chairman.*

Chairman NUNN. General Thurman's availability to testify before the committee today coincides with a previous commitment which brought him to Washington last evening. Secretary Cheney called me and asked if it would be all right for us to go ahead and have a hearing this morning. Even though we would have been better prepared later on in the week, I felt that members could adjust their schedules, and agreed to schedule the hearing for this morning. We are pleased to have General Thurman here today.

By way of background, General Thurman relieved General Woerner on Saturday, September 30, and, as the Commander in Chief of SOUTHCOM, he was the on-the-scene military commander in Panama throughout the coup attempt in the first several days of October.

The purpose of the committee's continuing inquiry is to find out what happened prior to, during, and after the coup attempt in Panama, and to ascertain the lessons learned for future purposes.

We are especially interested in any policy guidance that was provided to the CINC; any contingency planning that had taken place at SOUTHCOM; conversations that took place between the members of SOUTHCOM and the rebels or their representatives, particularly those between Brigadier General Cisneros and the rebels on Tuesday, October 3; the actions taken at General Thurman's direction during the coup attempt; and, any activities that may have been taken thereafter and that are underway now.

I particularly ask General Thurman to be prepared to tell us about the conversations that General Cisneros had. Rather than pulling both our top people out of Panama at this time, I felt that he could relay those conversations to us.

At the outset, I would ask General Thurman to give us a chronological narrative as to what he and the members of his command did from the time of first receipt of information that an attempt to overthrow Noriega was being planned by the rebels to the time it was clear the attempt had failed.

I would also ask General Thurman to submit for the record the complete chronological narrative that his command has prepared.

[The information referred to can be found on page 106.]

Chairman NUNN. I would ask that members refrain from asking questions until the narrative has been completed, unless there is a point of clarification about what has just been said.

The Armed Services Committee, the Intelligence Committee, and our staffs have been closely coordinating on these events, and I will have some questions based on the recent Intelligence Committee staff trip to Panama.

Since we are at the Top Secret/Code Word level, I would ask Arnold Punaro to certify that all the staff and DOD personnel have the proper clearance.

Senator Warner, I know that you have to leave, and I will defer to you for any kind of statement that you might want to make.

Senator WARNER. Mr. Chairman, I have no statement to make.

I just would like to ask one simple question.

Sir, do you feel that the fact that you just took over that command was in any way a handicap for you to discharge your responsibility?

General THURMAN. No, sir.

Senator WARNER. That's all I wanted to know.

Chairman NUNN. I would also like to recognize Col. Frank Hennessee who is here this morning. We have known Frank for a long time. We are pleased and delighted to have him here.

I believe our association goes back to when you were working with manpower issues and I was chairman of the Manpower Subcommittee.

We are pleased to have you here, too.

Colonel HENNESSEE. Thank you, sir.

Chairman NUNN. General Thurman, why don't you lead off and give us a narrative, and if we have to have clarification points, we will ask questions as we go. But we will try to defer any questions that we have until you are finished.

STATEMENT OF GEN. MAXWELL R. THURMAN, COMMANDER IN CHIEF, U.S. SOUTHERN COMMAND, ACCOMPANIED BY COL. JAMES FRANK HENNESSEE, EXECUTIVE ASSISTANT TO THE COMMANDER IN CHIEF, U.S. SOUTHERN COMMAND

General THURMAN. Thank you very much, Mr. Chairman. I am happy to appear before the committee and I have no prepared statement. The prepared statement will be in the nature of a chronological outline which I will give, subject to your approval.

First of all, here is the map of Panama.

[A series of maps and charts were shown.]

This is just to remind you of the area of the Canal, located in this area of Panama. The symbology on the map represents where the PDF is dispersed normally.

Senator COHEN. I don't know how good your eyes are, Mr. Chairman, but I can't see that map.

Chairman NUNN. Are we using the microphones?

Mr. PUNARO. No, sir, we are not.

Chairman NUNN. Then let me ask staff to help us pull those maps right up here into the center of our table.

General, why don't you brief us from between our tables.

[Pause.]

General THURMAN. Let me say that this is the normal, the usual, general disposition of the PDF units. I am not going to name them all.

They are located all across the Panamanian territory.

Of interest are these three [indicating]. These are the three units that participated in the coup, and they have been subsequently disbanded.

One is the unit that is inside the Commandancia. One is the company that is the Doberman, the public defender company, like the Dignity Battalions, and the other is a cavalry squadron.

Chairman NUNN. They are the units that participated in the coup attempt?

General THURMAN. They were direct participants in the coup and they have been disbanded.

Senator WARNER. What is the total number of the PDF now?

General THURMAN. The total number of the PDF varies. The total strength is on the order of 15,500 and that includes all the Dignity Battalions that they can turn out, which are paramilitary, at best. They are harassers, mainly thugs and harassers.

The next map is one of the Panama Canal and environs.

Here is the Commandancia. Here is the Paitilla airfield, which enters into the logs and accounts, and here [indicating] is Tocumen airfield. Further east is where the Battalion 2000 is lodged. That also enters the account.

Here [indicating] is Amador, on which one company is located. Another company, the equivalent of our [deleted] forces, is located at the tip of this island out here [indicating], which is Flamenco Island.

Here [indicating] is Howard Air Force Base, entering into events a little bit after noon, Panama time, is the Western road into Howard. It crosses the north boundary of Howard. I blocked that road.

Here [indicating] is the Bridge of the Americas. As I will show you later, the coup emissaries asked that that approach be blocked.

That is the bridge, the canal, the Commandancia, and I am located at Quarry Heights within 600 meters of the Commandancia. It's close—cheek-by-jowl there—to the tunnel. I spent the first 3 days of October in the tunnel.

Incidentally, just for the record, I took over on Saturday, the 30th.

The coup begins on the night of Sunday, October 1.

The first thing I would like to take you through is the sequence of the contact made by the plotters.

The wife of Major Giroldi made the approach [deleted] and asks for contact with a lieutenant colonel. The lieutenant colonel contacts my J-3 and we immediately call [deleted].

There are [deleted] for the American Embassy there, which is under the control of the Chargé, since the Ambassador has been withdrawn.

I approve [deleted] to immediately contact Mrs. Giroldi; they go out and meet with Mrs. Giroldi, and she agrees to set up a meeting with Major Giroldi.

That takes place at 10:15 p.m. These are my local times. To get the time in your perspective, add 1 hour. So this would then be 11:15 Washington time on Sunday night.

They returned, and they debrief their meeting. I will show you in just one moment what the contents of that meeting were.

I am briefed about that.

I direct them to ship a message [deleted] to Washington. I then take some actions on my own.

Now, I had decided before I ever went down to Panama that the first thing I would do when I arrived is test Mr. Noriega. As it turns out, the tables ran a little bit in the opposite direction by coup plotters.

But what I was going to do is turn out the entire garrison in Panama and see what would happen with Noriega's response to the new commander coming on the scene.

That was scheduled for 0400 in the morning, Monday morning.

I canceled that because one of the things that had come out of Giroldi's meeting, as I will show you later, is not to tip the PDF off. Therefore, I thought if I conducted the exercise, that would impinge on his ability to work through.

Chairman NUNN. When you say "turn the whole garrison out," what do you mean by that?

General THURMAN. I mean call all of the 10,000 or 12,000 troops that are located in Panama to their immediate ready-alert conditions in order to defend the Canal and to defend the American population, which is in and around the Canal. In other words, begin to exercise my mission to defend the Canal and all people located therein.

So, I canceled that. I devised a ruse to go into Amador, so that I could position forces in there early, and be there so I could close down the gate at my call.

I issued orders to run a company in there at 6 o'clock in the morning of October 2. The guys were doing a PT formation; ran down part of the causeway, which is this entity here [indicating]; and ran around Amador enough times so that I could get my people in there. We took all our weapons and equipment and after the PT run, we suited up for combat.

I increased the alert status of everybody as of 8 o'clock in the morning, because the coup was going to go down at 9 o'clock, so that they would be on 30 minute alert any time after 8 o'clock in the morning, increased my MP patrols and provided for coup security in that regard.

Here is what went on at the meeting between the two [deleted] and Giroldi.

This is what he said, and this is in the report that I got the previous night at 11:45 my time, or 12:45 your time.

He said that the commanders and troops of the Fourth Company, the First Public Order Company, the Dobermans, and a cavalry

squadron would take over the Commandancia at 9 o'clock on October 2.

He also said that he would go on the air at 8:45, 15 minutes early, and announce the coup publicly on three radio stations simultaneously.

He said that he had talked to the Commander of [deleted] which agreed to remain neutral—I underline the word "neutral." He said the Air Force was divided. Therefore, if we fly American helicopters over the Commandancia, they would be considered hostile and he would shoot at them.

He thought the most serious local threat was posed by the Fifth Company at Amador, and the UESAT Company, their Delta Force, at Flamenco Island. Here [indicating] is Amador. Incidentally, that is a joint post. We have both the PDF located there and we have American families located there.

Senator COHEN. Would you clarify one thing. You said if our helicopters flew over the Commandancia, that he would shoot at them. Did you mean Noriega?

General THURMAN: No, Giroldi.

Senator COHEN. Giroldi would shoot at our helicopters?

General THURMAN. That's what he said.

Chairman NUNN. Why? I don't understand that.

General THURMAN. He said because he did not want the Americans to intervene in that event. It was his event. He wanted us to do exactly what he asked to be done; but he wanted it to be a PDF coup and not an American uprising.

So he said don't fly over the Commandancia.

Frank, you may have the exact quote in the report.

He said block Amador and the UESAT coming in, which would be out here at the tip of this island [indicating]. That road would be used to come down that way [indicating].

Do you have the exact quote, Frank?

[Pause.]

"Air Force to be divided, and thus will consider all aircraft overflying the PDF Central Headquarters Building to be hostile and will fire on them."

Chairman NUNN. In other words, the Air Force would fire on them, probably. That's the way it sounds.

General THURMAN. No. You see, the Air Force is neutral.

Senator LEVIN. No, divided.

Senator COHEN. Yes, divided.

General THURMAN. I beg your pardon. The Air Force is divided. So anything flying over the compound, if it was ours or them, would be fired upon by the ground. That's the way I interpreted what he said.

Chairman NUNN. Oh, I see.

General THURMAN. He said that the long-term, more serious, threat is posed by the Sixth and Seventh Companies, which are located at Rio Hato, which is further West. You can see it on this map [indicating].

Rio Hato is located right here [indicating]. You will see a road that goes along the coast and passes over the North side of Howard Air Force Base and, thus, into the Bridge of the Americas.

Those two companies—we'll talk more about that later, in just a moment—but those two companies are very good companies, and that is a place where Noriega frequently travels. That is one of his eight major places in which he is located most of the time, when he is out of town. In other words, he may go there for the weekend, but it is hard to predict just when he goes there.

He then said we're going to broadcast at 8:45 and we're going to take over the three radio stations. We're going to broadcast a strongly nationalistic statement. Don't misunderstand the statement as being anti-American.

He said we'll take over the building at 9 o'clock. We will demand the retirement of General Noriega and four colonels. We do not expect Noriega to be present in the compound, and we want to avoid bloodshed.

Now, when the [deleted] gave me that dump at midnight, I made the following commander's judgment: it was an ill-motivated coup because he was going to use Rule 20, which said that all PDF officers who had more than 25 years service should retire, and he wanted Noriega retired. It was an ill-conceived plan because he had various and sundry elements which he did not know whether they were going to stick with him or not. It was ill-led by him in terms of he had a plan which had a fatal flaw in it. The fatal flaw was that Noriega was not going to be there under his plan. And, finally, he hoped to avoid bloodshed. In other words, there was no "decapitation" of the personnae—and I use that in terms of arresting him or anything else. He hoped to do it without Noriega even being there—just to declare it done.

Well, it turns out Noriega is there, and, as I will show you later, he talks to him for 45 minutes and the talks are fruitless.

Senator COHEN. Tell us what your reaction was at that time. You said you got a dump. What did you think?

General THURMAN. I just gave it to you.

I said the plan was ill-conceived. It was ill-motivated. It was motivated by personal aggrandizement, for upward mobility, and I'll take over the PDF.

He said the coup announcement statement you may not like.

It turns out later there was some intelligence down that we got later that says [deleted] either.

Senator WARNER. Mr. Chairman, may I ask one question since I have to leave? It is very short.

Chairman NUNN. Yes.

Senator WARNER. Would you characterize his meeting with you as——

General THURMAN. Oh, he didn't meet with me.

Senator WARNER. No, I meant [deleted]. To put it in language that you and I understand as soldiers, he said, "Butt-out. This is my show."

General THURMAN. From those guys in the PDF?

Senator WARNER. Yes.

General THURMAN. They wanted us to do three things.

Senator WARNER. I mean when he said he was going to shoot at your planes, he was going to make a statement.

General THURMAN. Well, that's what I'm saying.

He asked me to do three things, and, of course, I relayed that up and got it. But I want to tell you, at that particular time, given the fact that it was midnight on Sunday night, my view was that it was a very flaky deal.

Senator WARNER. He did not want you to be part of the act.

General THURMAN. He wanted me to do three things and the rest of it he did not want me to do. So I thought it was a flaky deal from the start, and nothing has changed since then that would alter my opinion about it.

Okay. That's what Giroldi said [deleted]. Then I got that dump and I acted accordingly. Giroldi continued [deleted]. He had a list of good PDF senior officers from which to select the next commander. He said the plans had not been discussed with them and requested that the U.S. Army take no actions overtly or heavy-handedly to support. He would like for me to block Amador, because that is a local engagement that he would like to seal off. I would like you, he said, to halt forces marching from the west, at the west end of the bridge. That is the Bridge of the Americas, which, as I indicated to you, is located right here [indicating]. That is the road along which forces from Rio Hato would come.

He then said I plan to proceed with the plan with or without U.S. support. That is what Giroldi said. That is what I got and that is what I acted on at midnight on Sunday night.

Now let's move to the morning of October 2. It is now 1:15 my time, and for those people who came in late, if you would add 1 hour to this and make it 2:15, that would be Washington time.

We contacted the J-3, Joint Staff, woke him up and got him into this deal.

You will see some red underlining on the charts that indicates there was another event going on, but we did not know it at the moment. These events come to light later [deleted]. But I've put it into the perspective of what went down, although I did not know anything that is underlined in red at the time. That comes from later information, ex post facto.

At 0322, we released the critic message to Washington. We had been on the telephone. We kept an open line with the JCS and the National Military Command Center, an open, secure line, the entire process of 3 days. So we had firm contact up our chain of command.

I ordered the [deleted]. He said the event was going to start at 8:45 with a radio broadcast, and I said we'll get 4 hours' notice and we'll be able to watch and see if anybody moves ahead of time, or whatever.

Senator COHEN. Is this still Monday morning?

General THURMAN. It is still Monday morning, October 2.

I was on the floor starting at 6 a.m. with all my people.

At 6:24, the company, I had ordered in, having canceled the other exercises the night before, so as not to tip it off, the positioning of a company from the airborne battalion arrived at Fort Amador and went on to PT.

By 7 o'clock, there were no indicators, [deleted] or otherwise, that there was anything abnormal.

At 0735, we received a note through the U.S. civilian contact, who had been contacted by Mrs. Giroldi, that said there is an unspecified delay, but the operation is still on track.

That was the message.

At 0740, we changed from PT uniform to combat gear at Fort Amador. We had aircraft on a 1-hour strip alert and patrol boats on a 20-minute response time. By 8 o'clock, we were on a 30-minute alert string.

Now it is 8 o'clock, still on the Monday morning. We updated the Chargé, and we made an inquiry at the time: did we have a DEA agent located anywhere in Panama, or where was the nearest one located?

We came back to Washington and asked that question so we would be prepared to arrest Noriega if we got our hands on him.

I found out that the nearest one was located [deleted] if it turned out that we needed him. But we did find [deleted] agent, and we had him on a string in case we could get our hands on Noriega. We would then arrest him and evacuate him out.

I had a C–141 aircraft prepared to fly him out—if we could get our hands on him.

Now, at 8:45, notice this is the time—here is the warning order I issued to get everybody up, to reduce their warning times to 30 minutes. That is internal, my own channels.

At 8:45, that was the time the radio broadcast was to go down. Nothing happened.

We had a [deleted] report. On top of my tunnel, in which I resided, there is a building that permits me to look straight down into the Commandancia, which is the building in which all the events take place. The observation post here says it looks like Mr. Noriega has arrived at the Commandancia.

You will recall that Giroldi said he hoped Noriega would not show up because he wanted to do it as a bloodless coup and just announce that everything was done. But Noriega shows up at 8:45.

We update the National Military Command Post, and all of my commanders, subordinate commanders—Army, Navy, Air Force, and Marine—report, and we are all ready to go on a 30-minute string any time we want to pull that string.

So, then, at 9:15—again, that is 10:15 Washington time—the Chairman and I discussed the situation.

Now, during the night, when we sent our reports up to the National Military Command Center, we said that this is what Giroldi wanted. He wanted us to block the road at Amador, block the bridge, and accept Mrs. Giroldi if it was necessary for her to come on government territory. The Chairman authorized me to do all of these things.

I was already in a posture to do it, but he authorized me to do it.

Chairman NUNN. When was that? When did he authorize it?

General THURMAN. At 9:15.

Chairman NUNN. Tuesday morning?

General THURMAN. No, this is still Monday morning.

So at 9:15, he authorizes me to do that, which is what they had estimated.

Chairman NUNN. Even including the use of force?

General THURMAN. Blocking the road implies that I will subsequently, if they try to breach the block, have to use the Rules of Engagement under which I operate, which is if they appear to be hostile or fire at me, I have license to open fire without further ado.

Chairman NUNN. So you felt at that time, 9:15 Monday morning, you had the authority to block the roads.

General THURMAN. That's right.

Chairman NUNN. And you had the authority, if necessary, to use force to repell someone?

General THURMAN. That's right.

Senator LEVIN. From piercing the blockade?

General THURMAN. Yes, sir—or any other breach of installations that belonged to the U.S. Armed Forces.

Senator COHEN. Could any traffic go by? Did you have enough room for civilian traffic to go by, or did you block them, too?

General THURMAN. When it said "block," it meant block, total. I will show you how that plays out a little bit later.

Let me just point out, if I might, that the Amador area is a place where I have military families living. Therefore, in order to carry out protection of military families there, I have a license to do that under the treaty. So I can block anything I want to down there if I, as the Commander, perceive that it is necessary to do that.

So when I recommended up the chain of command what to do, I said these things are consistent with me to block various things in order to preclude the PDF forces from getting at Americans within my knowledge of where people were located. I had a very good knowledge of that.

I've got 22 installations across the Canal, and so, I have to take precautions about their security.

As you noticed on this chart [indicating], there are people all over the area, and, therefore, the PDF could harass our people or go and attack them. So I have authority in my own view to go and protect people, as necessary.

Senator COATS. Excuse me, General Thurman.

When did you receive authority to come to block the road? Was that at 9:15?

General THURMAN. The Chairman and I discussed this matter and he said go ahead with that, I approve of that.

Senator COATS. All right. Were there any questions about that point in response to your concerns about the inadequacy of the plan?

General THURMAN. Giroldi's plan?

Senator COATS. Yes.

Didn't somebody say wait a minute, you don't think that plan is going to work. That does not sound right to us. What about the 2000 Corps, what about the airfield, what about Noriega not being there.

Didn't anyone say at some point that this was a cockeyed plan and it isn't going to work, and why should we participate in it at all?

General THURMAN. Sir, you may not have heard what I said earlier on.

Senator COATS. I'm sorry.

General THURMAN. When I got through listening to Giroldi's plan that was given to me [deleted] there and works for the Chargé—we have no Ambassador in Panama—my own judgment at midnight on Sunday night, which I relayed up through the chain of command.

Senator COATS. Yes, I heard that.

General THURMAN. You heard that.

Senator COATS. My question is what was their response to your judgment?

General THURMAN. The Chairman's response, et al?

Senator COATS. Yes.

General THURMAN. I'm sure they took it on board.

But I said look, blocking the road at Amador and blocking the bridge, and, of course, we accept anybody in Panama that wants to turn themselves in—we do that—I said all of those are perfectly consistent with my obligations to protect the force. It's perfectly consistent with it. I can defend that, I can do that because if the spillage occurs with the PDF fighting amongst themselves and they begin to take on the Americans anywhere across here, these things are perfectly consistent with my security operations even though it is a cockeyed plan.

Senator COATS. But wasn't there some question or some response in terms of what the U.S. role should be for participating in what you thought and what others thought would be a failed coup? The fact that we took assertive action would implicate us in the coup.

General THURMAN. I took those assertive actions on the guise that if the coup went down, I was not in control of either the PDF or the coup makers. But I had an obligation to protect my own people and installations, and these two things are consistent with that. I have families associated with all of these installations.

Chairman NUNN. Let me suggest that we try to go through the whole scenario because we are all going to have a lot of questions later.

General THURMAN. Now, that last point here is that we accept people who walk in on us and we take them. As a matter of fact, [deleted] out immediately after the coup and [deleted] located in Panama right now who drifted in since the coup.

The Chairman directed me to direct the coup plotters that they be urged to include in the broadcast statement a desire for democracy and international support.

That devolves from a meeting [deleted]. I was not present at the meeting. These are the orders that I got, and I carried those out. You will see later where I carried those out.

At 9:40, shortly after he gets there, Noriega is reported leaving the Commandancia. I tell the NMCC that the Chargé comes over—incidentally, we had very good communications laterally between the Chargé and myself and my staff. We kept each other informed.

The Chargé came over to my tunnel briefing room. We discussed the triggering events that I looked at as being important. One of the triggering events that was very important to me was whether or not anybody made a public statement that there was a coup, because Giroldi said he was going to do that 15 minutes before the coup took place.

The Rules of Engagement and other issues—we had a meeting there at about 11:30.

We are still on Monday.

They pass a message. They met face-to-face with the intermediary. We provide a copy of the suggested adds to the statement that is going to be broadcast whenever they announce the coup—international support and elections, what was on the chart.

Senator LEVIN. Would you clarify who that [deleted] contact was?

General THURMAN. I would just as soon [deleted] name did not appear in the press.

Senator COHEN. No, don't give [deleted] name.

Senator LEVIN. Does [deleted] work for the State Department?

General THURMAN. No. [Deleted.] Just as a sidebar, the people who live in the Panama Canal Commission housing are all mixed up. There are Americans who live there in the Panama Canal Commission; there are Defense Department workers that live there; and there are, indeed, PDF people that live there.

So it was a chain of contact through [deleted] to us and I would like not to--in fact, I moved [deleted] on post into my custody, so that [deleted] would not be under jurisdiction of others.

We passed the message, and Mrs. Giroldi gets the message. She says it is all delayed until tomorrow. I update the JCS on my direct line. I then direct my own people to do various and sundry things for the rest of the day. And I make the plan for October 3, and I inform the National Military Command Center of the same.

The Joint Staff then briefs the Chairman about that. Again, I talked about it and he said drive on.

I informed the Chargé, what I was going to do, and the Treaty Affairs Officer is informed that I want him to call the PDF around 6 p.m.—7 p.m. your time—and tell him that I'm going to run a mechanized company exercise in the vicinity of Fort Amador the next morning. This is because in this particular message from Mrs. Giroldi, she said try to maintain security of the operation.

So I'm trying to maintain security of the operation. As part of a ruse for the next day, I tell them I am going to run this exercise. This is a normal, standard thing that we do down there, so that they know. Sometimes we notify them and sometimes we don't. In this particular case, I said we were going to run an exercise the next morning. This, then, would give me a chance to put a Mech Company down there at Fort Amador positioned for the next day.

They rogered that transmission and thought nothing about that. [Deleted] by 2200, then says he gets a note from Mrs. Giroldi [deleted] that says it is on for October 3; I still want you to block Amador and Bridge of the Americas; and we would like a phone number.

But we do not give them a telephone number. I don't want Giroldi telling me what to do. So I don't give them a telephone number, and I instruct [deleted] to give that to them.

For those of you who have come in late, anything that is underlined in red is something that occurs later, but I don't know it during the course of the operation. It comes from later information.

Now, here is the captain, who later turns himself in to General Cisneros, Captain Licona. He goes as an emissary the next day to Cisneros, at about 11:18. He informs Giroldi, the night of October 2

that he is not sure about Battalion 2000 support. This comes in a debrief of Licona after all the events broke.

So there is still some antsiness inside the coup plotters heads as to who is responsive and who is not.

Here is a map of October 3 [indicating]. We have zoomed in a little bit here.

Here is the U.S. Embassy [indicating]. Here is the Commandancia [indicating]. I am located in a rock tunnel right up here [indicating], right on the side of the mountain, in the rock quarry, looking down. I can't see it, but the people on the top can do that.

Howard Air Force Base is over here on the left [indicating]. Bridge of the Americas is here [indicating], and out to your right is Tocumen Airfield, that features prominently.

So, what do I have going here effective October 3? I have all my people on 15 minute alert. I have strip alert with aircraft. I have my [deleted] forces alerted. I have the [deleted] and the like. So I am up and operating the next morning.

I inform [deleted] the Embassy at 6:22, my representative does, about the trigger events for the coup.

One of the things I am looking for is a public announcement. That is one of my triggering events, to know who is really in place. They could be down there shooting—and this is what I said finally—they could be down there shooting cement up. I had done the previous intelligence work on Mr. Giroldi to find out that he had been a staunch Noriega supporter in previous time and he had been a man who had raised up and been deceptive in the March 1988 coup in order to identify people, which Noriega later took out.

So, Giroldi himself was a suspect guy to me.

So, I said I'm not going to get duped by being suspect of what they pull off down in the Commandancia.

I informed the Chargé, Mr. Maisto. He and I do good work together. We are in good shape.

I said look, I'm looking for the necessary coup broadcast.

Now, later we learn that Giroldi holds a troop formation in the Commandancia at 7:30, and he tells everybody in the troop formation that we're going to run a coup here in about 30 minutes. [Laughter.]

This is all the troopers out there in the area.

I don't know that, now. I learn that later. Meanwhile, at 7:34, I approve a Treaty Affairs notification to the PDF that says when this fracas starts—I'm issuing the demarche to the coup guys through the Treaty Affairs Office. We have direct liaison with them . It says I have the right to move troops any place I want to in protection of the Canal, protection of human life, of the 10,000 dependents I have down there and the 4,350 school kids, and all of that gives me freedom of action to move in order to protect myself.

Now, at 7:40, my observation post at the top of my building reportedly says they think Noriega has arrived at the Commandancia.

Well, by the way, remember now that Giroldi said he was not going to do the coup if Noriega was there. He wanted to do it bloodlessly.

So I get this report. He arrives there. I am all set with units ready to execute my command readiness exercise, which is my "go

to war" plan to protect the Canal and everybody that lives down there. I've got a [deleted] alert force—[deleted] for all major units. The Air Force is on strip alert. Everything is on [deleted] alert here. And, oh, by the way, I'm ready to move the Fourth Mech Company to Fort Amador on order.

At 7:45, we get the first disturbance that the troops are running around within the compound.

I order, at 7:58, that the Mech Company roll to Amador. I can again authorize that because there is a disturbance and I am going to protect the American people who live at Fort Amador.

The events from 8 to 9 o'clock are shown here. There is no public coup broadcast. It comes some 3 hours later. So there is no broadcast.

We got from 8 to 9 o'clock small arms, possible RPG and a couple of explosions. Later on, I find out through debriefing that several individual vehicles, on the order of 10 to 15, which had a capability of carrying anywhere from three to four people, exited Amador.

We got all those airplanes on strip alert. [Deleted] which is [deleted] in order to watch what is going over there. I tell them to [deleted] to Panama. I launch four A-37s, which give me a capability to do observation up and down the Panama area.

I issue the Personnel Movement Limitation Delta order, which is the highest level of personnel readiness I can do for my dependent population in Panama. It tells them to stay off the streets, stay home, don't move.

Incidentally, I have on the road from 7:30 onward 27 school buses picking up people all over the area, taking them to school. I did not cut that off because that would have been a tipoff that something was cooking, because school buses normally operate during that period.

So I had a bunch of school buses moving around in the area.

Now, understand here that we get small arms fire at 8 o'clock. We now have the first [deleted] report.

Incidentally, one of the questions some people have asked is what about your intelligence?

Well, we have more than [deleted] intelligence reports in this operation. About [deleted] are useful, and we have all kinds of stuff churning out information for me to evaluate, which I do.

This is an important event at 8:17 because we find out that the Seventh Infantry Company, located at Rio Hato—and Rio Hato is the lair of Mr. Noriega over here [indicating] out of town. There are two crack units located over there. We get the word that they are mobilizing.

So, here now we have from 8 o'clock to 8:17 or 8:20 [deleted].

I would like to report to you that that is pretty good alert notification for anybody's force. It's not bad.

The Mech Company, I gave the order to move at 7:58. It is now 8:22 and are in position at Amador. The UESAT Company now comes up on alert [deleted] and the Fifth Infantry Company is in bunkers. They are located at Amador.

So here we now have at Fort Amador this company up and on alert [indicating]. I have a company facing them down, and further down the Amador causeway [indicating] we have the UESAT, which is their special forces, located down there on alert.

Oh, by the way, the post is an open post for everybody. My Treaty Affairs Officer observed that they were in bunkers before 0800. But I did not learn that at the time. I learned that later, when I debriefed him.

He was out jogging, PT, at 7:45, and he observed that they were already in bunkers.

Still on the morning of the third, on Tuesday morning, we learned later [deleted] of Licona and a [deleted] who escapes, that along about 8:30, the general staff members have been arrested by the rebels.

I don't know that at the moment. You know, Noriega went in the compound, we think. I'm not sure he is in there. I make the presumption that he may be in there, but I am not sure about that. But later on, we determine he really did go in there and he is arrested by the rebels and put into a room with three of his loyal supporters. I will show you the events that occur in the Commandancia separately in a moment regarding a debriefing that we later get.

I order the DOD school system locked up. There are 4,300 kids, and I tell them to lock them up and don't let them out until I give an order.

We also get a report by one of our aerial observers that Bridge of America is already blocked. It is blocked by the PDF. It is blocked Westbound so people can't get out of the city. There is only light traffic going across that bridge, and inbound traffic is being detoured.

Then we get a [deleted] report [deleted]. They have been told [deleted]. They are located out here [indicating].

They are [deleted] down here [indicating]. We find out later this is the reception party for people flying in from Rio Hato, which is further West.

Forty-one minutes after the first shot is fired there is a Boeing 727 taxiing at Tocumen, which ultimately goes down toward Rio Hato, and picks up people and brings them back.

My Treaty Affairs calls over to the PDF and asks what is going on. The PDF responds that everything is normal. In other words, we have made a contact; we are trying to make a contact to find out what is going on inside the Commandancia.

The answer is everything is under control.

Senator COHEN. When you say "call," who do you mean?

General THURMAN. He called physically on the telephone from my Treaty Affairs office to this man here [indicating], who is in their Treaty Affairs office, and he gets the response that everything is under control.

This guy is a PDF loyalist.

Senator LEVIN. In the Commandancia?

General THURMAN. No, sir. He is in a building at Fort Amador.

There is a Command and Control Center for the PDF located on the base at Amador, directly across from our own housing area. Then there is a Commandancia. Noriega sometimes locates himself at the place at Amador. But he says everything is under control.

At 8:58, we have some Seventh Infantry company personnel on motocycles. We see that from aerial observation because I told my aerial observation people to go down to Rio Hato and monitor what

is going on in the west and tell me if they are moving, because one of my triggering processes is if they get close to Howard, I am going to block the road because I don't want them to come on my base at Howard.

The next chart, please.

This is 9 o'clock to 10 o'clock. There is no public coup announcement. That is one of my triggering events. I'm waiting for them to say outright that they are doing something. So I am waiting for them also to include those two messages I gave them, to announce about the elections and so on.

I order Howard Air Force Base closed. There is enough action to me that says it is prudent to close the Air Force Base down. So I do that.

I also put an AC-130 up, which has a very high capability for pinpoint accuracy of gunfire, if I want to use it up there. So I am getting myself ready. If I have any contingency plans that I want to execute, I've got a very good shooter up there. The PDF knows about that and they are scared to death of it.

At 9:14, we find that the Fourth Infantry Company, [deleted]. They declared that [deleted].

At 9:17, we get the word, again through [deleted] that the Seventh Infantry is coming from Rio Hato toward Panama City. I tell Treaty Affairs, I tell them to trigger the message, which is located at Treaty Affairs, that says look, Rodriguez, you inform everybody in the PDF that I have the intent to exercise freedom of movement and force protection all through the area here in order to make sure that I can protect the Canal, protect American interests, and all the people that we have down here.

I directed at the same time the CRE. I don't direct the blockage of roads yet because no coup announcement has been made.

Then a [deleted]. It turns out they mobilized some Casa 212s, and begin to move troops, not only with the 727 which is en route out there, but he has some Casa 212s that are already in the general area and are mobilized.

It is 10 minutes to 11 and there is no coup announcement. I am waiting for that.

At 10 minutes to 11, there is continued intermediate gunfire at the Commandancia. Later I find out—and I will show you those events—that Noriega has a long conversation with Giroldi in the Commandancia for 45 minutes.

Again, remind yourself that Giroldi said it was going to be bloodless, that I (Giroldi) want to talk him (Noriega) into retirement. He does do that for 45 minutes, we find out later.

Captain Cortizo is the Commander of the Fifth Company at Amador, which is where my Mech Company is located. [Deleted].

So there has been an intimidation factor by the fact that I put my Mech Company down there. He does not move.

Incidentially, he later gets arrested for doing that because he did not react, as does the UESAT commander who is the big special forces commander at the island. He also has been detained because he did not move either.

Now we have [deleted] report—I'm sorry, we have an 8:37 visual report that aircraft are located at Chame airport, which is right here [indicating], which is further east of Rio Hato. Apparently

what happens in reconstructing it is they ordered Rio Hato troops to move down the road. Those troops that did move down the road were diverted into Chame. They loaded aircraft, Casa 212's, there, and moved into town. So it was a good marshalling operation on their part.

Now, at 10:50—this is 11:50 Washington time—Battalion 2000 and Seventh Infantry troops pass the U.S. Embassy.

I get a report from John Maisto that says they are passing the Embassy here in 21 trucks, or whatever the number is. I think the number is 21 trucks.

I say "roger."

This means that from Tocumen and Paitilla, they are now moving on the western approach to the Commandancia, with the troops that have been flown in and the troops from Battalion 2000. So, we are way out here, where the airports are [indicating]. Here is Paitilla Airport [indicating]. Here is the Embassy, and it is a direct shot into the western approaches to the Commandancia.

And so, at 10:50, I have that information.

There is no coup announcement during all this time.

From 11 to 12 o'clock, we still get some sporadic small arms fire. Later we find out that Captain Licona departed the Commandancia at 11 o'clock, alone, for Fort Clayton.

Hold up the map for just 1 minute.

Here, again, is the Commandancia. Licona had been located there. He departs and drives to Fort Clayton, which is located right here.

Senator COHEN. How many miles is that?

General THURMAN. I would say that is 5 miles. I will come back to that again on the events inside the Commandancia. But he departs there.

Okay, we have a [deleted] report that says PDF elements are moving from Paitilla and Tocumen because we had it staked out so that we would know when anybody did anything at the airport, at the two airports.

I order the closure of Amador.

Now, you notice the radio broadcast does not occur until 9 minutes after I ordered that. Why did I order the closing of Amador? We have a lot of troops moving. They are coming down. There was the Embassy report. I said shut that post down because they are not coming on my post in this event. I have security to maintain at Fort Amador.

So I shut down the post. That means now it is completely sealed. Nobody could get through it. Armored personnel carriers completely blocked the place.

That is when the Rules of Engagement would come up. If somebody tried to force me, then, I'd have [deleted] them.

At 11:10, we get the broadcast of the coup. It is first broadcast on Radio Exitosa. Then Radio Nacional broadcasts it, and we are 3 hours and 10 minutes into the coup. The broadcast is interrupted on Radio Nacional, and music is played. The Radio MIA, I don't know exactly what went on there. I was unable to find out that.

But, at any rate, we have one complete radio broadcast. Incidentally, this is a private radio station, and after the coup, the PDF trashed Radio Exitosa. They completely wiped it out.

At 11:18 begins the arrival of the coup representatives at Fort Clayton, Licona having left the Commandancia at 11 o'clock. They request a meeting with General Cisneros. He is the brigadier general who commands the main U.S. Army forces located in the Canal.

They are up here at Fort Clayton.

Now let's talk about the meeting with Cisneros.

I need to have two charts here to take you through that.

At 11:11, a red Toyota parks across the main gate at Fort Clayton. Four PDF personnel approach the gate, the main gate. The Sergeant who is controlling that gate is notified that two PDF officers were at the gate. In very quick time he is down at the gate.

He finds Captain Licona of the PDF—he is the cavalry officer whose unit is later disbanded—and Captain Sanchez, who is a naval officer. They are sitting at the bus stop bench. Licona asks to speak to Brigadier General Cisneros. We search the officers and find no weapons or radios. They notify me concurrently. I approve immediate contact with them and I notify the American Embassy and also shoot the message up through the National Command Post at 11:20.

Now hold that just a minute right there (indicating). There is an illusion to the fact that there is a misinterpretation of what goes on at this time. I want to make sure that I pause long enough to focus on it and tell you from my standpoint what went on at this particular event.

We notified the J-3, JCS, that we had two PDF officers at Fort Clayton claiming to have Noriega and that Cisneros was talking to them. This was first sent to the National Military Command Center. We have a straight channel into them throughout the entire series of events.

We say that we have developed three options—at SOUTHCOM for dealing with the fact that these people are there, and we're talking to the National Military Command Center about that.

I said course of action number one is the rebels can deliver him to us at any one of our U.S. posts, and we are prepared—because, as I indicated to you before we had the [deleted]—to arrest him. We had a C-141 on standby to evacuate him.

Number two was—again, I am reporting up my channel—I could get [deleted] local, to secure Noriega from the Commandancia through [deleted]. I'll tell you in just a moment what happens with that.

Finally, I have the third course of action which says I'll go in and take down the Commandancia and get Noriega. Those are my courses of action.

As soon as my J-3 gets off the phone with the Joint Staff, he then calls up the Chargé and notifies him of the same information. He will request the assistance of the [deleted] to assist in doing course of action number two.

It is at this point that there are two reports coming from bottom up to the Washington level.

My report comes up and says what I said. There is a miscommunication between us and the Embassy at this point. We think we were clear, because we had said there were three options being considered. Perhaps in jotting down whatever was later reported to

the State Department there is the notion that we have them (the PDF emissaries) and they are asking to turn him (Noriega) over to us.

At this point, we were considering options about Noriega. We don't know what they (the PDF emissaries) have going at that moment.

So, from our standpoint—and I am not trying to get into bickering back and forth on this—it is just a misunderstanding in the heat of the battle—we were developing these three options to take care of Noriega. Apparently in reporting upward there may have been a miscommunication.

But these same three options were covered with the Chargé because shortly thereafter, the Chargé notified us that [deleted].

Now, this has gone on from 11:20 to 11:40. So let's go back over here [indicating] and say what is going on now.

Well, at 11:30, we have the two PDF officers that moved to the headquarters. It is within 100 yards of the gate. They are both there and they are at the U.S. fort.

At 11:38, Cisneros meets with PDF officers. They wanted to talk to a U.S. official. They indicated they had Noriega at 11:38. I will come back and talk a little bit about that, but there are other events going on in the Commandancia. Captain Licona has left the Commandancia and is on our property. He reports they had Noriega and the general staff under control at the Commandancia and no intention of turning Noriega or anybody else over to U.S. control. They wanted an honorable exit for Noriega to retire and not leave the country.

Captain Licona reported the coup leaders wanted the United States to control their areas, the two areas, and all the other areas that I had responsibility to control and protect in the Canal. And they wanted us to close the Bridge of the Americas to preclude reinforcement from Rio Hato, Rio Hato coming from the west—to close the bridge.

You will see later that I don't close the bridge. I close it further west because I don't want PDF troops coming on my post at Howard Air Force Base.

Cisneros tells me that in fast time. I approved all that, and I said block the road west of Howard, because this is all being channeled up to me. I approve it and I block the road west of Howard.

Chairman NUNN. General, I thought you said earlier that that road, the bridge, had already been blocked by the PDF.

General THURMAN. It had been blocked by the PDF, and I took that into consideration, because it had been blocked by the PDF, westbound. Going west it was blocked, and I took stock of that.

So I had an option either to reinforce the PDF at that time and get into a firefight there or to go west of Howard and block it, west of my tank farm, which is the POL tank farm here [indicating]. I had license to do that and I did it.

So I made a judgment call there. I said look, they have already blocked the road here, going away from the city.

Chairman NUNN. Away from the city.

General THURMAN. Yes, away from the city. So, instead of getting into a firefight up there on the bridge, I chose to block it west

of Howard Air Force Base. Again to block any reinforcements coming from the west.

They blocked it in one direction; I blocked it in another; and we blocked it at two different places. I made that judgment.

Chairman NUNN. The PDF was blocking the road to keep people from getting out.

General THURMAN. That's right.

Chairman NUNN. And your request to block the road was to keep people from getting in.

General THURMAN. That's right.

Chairman NUNN. So when the PDF was blocking the road, they were not doing what had been asked of us.

General THURMAN. No, no.

Chairman NUNN. It's just the opposite.

General THURMAN. They were blocking it on their own because they were all loyalists.

Chairman NUNN. Right.

General THURMAN. What they were doing is there is a big horseshoe as you come off the east end of the bridge, and they were diverting traffic that was coming eastbound down into the off ramps and steering it north, as opposed to letting it get down close to the Commandancia.

I knew that because I had aerial observation of that. So I did not go over and block it here [indicating]. They were already diverting that traffic north.

So I went out and blocked it here west of Howard [indicating] in order to preclude anybody coming in from the west.

Senator COHEN. General, did you give them any intelligence, the officers coming for assistance there, telling you what they wanted, that there were troops coming from a different direction?

General THURMAN. Did I tell them that?

Senator COHEN. Yes.

General THURMAN. Cisneros told them that.

He said during this conversation that we have information that PDF are flying in and they are landing at Tocumen, and he thought about their being a countercoup, and what are you (the coup emissaries) going to do about that.

There is another chart here that I will soon show you.

Senator LEVIN. What was their response?

General THURMAN. The response was nothing.

Chairman NUNN. Are you going to get into that?

General THURMAN. I am.

We did not get a response. He took it on board.

I am going to show you something that bears on that in just a moment.

Senator COHEN. Do your charts indicate that conversation taking place because that is important?

General THURMAN. It does not. But the debrief of Cisneros does. I mean, I extracted this and I may have left out one or two points.

Meanwhile, later we find out the first PDF loyalists are coming into penetrating the east perimeter of the compound. We get that later through [deleted] on a debrief.

We continue the saga.

Licona, who is the person who later requests asylum, is on the telephone, and he is making 8 to 10 telephone contacts during the course of the meeting with Cisneros.

I cannot tell you whether Licona told the people inside the compound about the troops coming in from the east. General Cisneros didn't overhear that, although he speaks fluent Spanish. He just did not overhear that.

But he did talk to Sanchez, who then talked to Licona and reported to Licona. Licona is talking to people inside the Commandancia, but we don't know who they are.

It is alleged that he was actually talking to Giroldi, which we find hard to believe because Giroldi is talking with Noriega from 10 to 10:45 local time.

During the course of this period that started at 11:20 to 1300 to 1345, they are making 8 to 10 telephone calls to the Commandancia and also to Colon, which is on the north coast, the Atlantic side.

Cisneros notices a change in their body language and demeanor. They came in full of enthusiasm, but after they get the telephone contact going, they begin to lose their upbeatness and turn downbeat. They are talking with people in the Commandancia.

At 1345, they conclude that it is not successful. Licona requests asylum. Sanchez requests transportation to Panama City. I don't know what has happened to him since. And we did what they asked.

Now, let's pick up the same timeline.

At about 12 o'clock, we begin to get some more heavy fire in the vicinity of the Commandancia, and there is 81 mm mortar and a 90 mm recoilless firing. At 12:10, there is an official announcement on TV that Panama is calm and under the control of forces loyal to Noriega.

Now, incidentally, they are still making telephone calls in there, all the way to 1345.

Senator COHEN. Just 15 minutes prior to that they announced that the coup was underway. Wasn't it at 11:45?

General THURMAN. Yes, sir.

Let me have that chart back.

It's 11:10 when they announced that.

Senator COHEN. At 11:10.

General THURMAN. So here, at 11:10 the coup broadcast goes. Meanwhile the situation is deteriorating inside the Commandancia.

Senator KENNEDY. Did you have telephone contact with the Commandancia during this whole period of time?

General THURMAN. Did I?

Senator KENNEDY. Was telephone contact with the Commandancia possible?

General THURMAN. Starting at 9:30, we had an officer in a G–2 shop—U.S. Army G–2—of the brigade task force making a series of three telephone calls.

Give me the sheet on that.

He tries to get contact with people inside the Commandancia three times, and those events last for 1 hour and 25 minutes—from 9:30 to 10:55.

Chairman NUNN. General, it looks to me like these times over here [indicating] may be off. Are you sure that is not 11 o'clock to 11:45?

General THURMAN. No. It continues on and that is the report that I have from Cisneros. It was continuing to go during those timeframes.

Chairman NUNN. That was 1 o'clock to 1:45?

General THURMAN. Yes, sir.

Chairman NUNN. You said a minute ago that you didn't think he was talking to Giroldi.

General THURMAN. I don't think he is talking to Giroldi but he may have been talking to somebody else.

Chairman NUNN. Because Giroldi was talking to Noriega from 10 to 10:45. That would not preclude him—why that is 2 hours later.

General THURMAN. That's right. I am not sure who he was talking to. I don't know that.

Chairman NUNN. Those times there are correct?

General THURMAN. Those times are right. But I think we can audit that.

Do you have that, Frank? Just rip out the sheet for me.

Chairman NUNN. General, just 1 second.

They came to his office at 11 o'clock, or at 11:38. It lasted from 11:38 to 12. Were they over there another 2 hours?

General THURMAN. Yes. He didn't audit that.

Let's see if that is right.

Senator COATS. The last chart before this one had the times when they arrived.

General THURMAN. Yes, at 11:18.

Chairman NUNN. That means they were there for 2 hours.

General THURMAN. Yes, sir.

Chairman NUNN. They were there that long?

General THURMAN. Yes, sir.

We will audit that time for you, though we believe it is right.

I will audit it and see if we have made a mistake. We could have shifted into Eastern Daylight time. But let me audit that one a little bit for you. (Note times audited and are correct.)

Back to your question, Senator Kennedy.

At 9:30, Colonel MacDonough, who is the G–2 for Cisneros, attempted to contact Colonel Wong, who is the G–2 of the PDF, and Colonel Ow Young, who is the G–1. Both of them are officers located at the Commandancia.

At 9:50, after repeated attempts to get the contact, Wong's office answered, and a corporal answers the phone and reported that Colonel Wong was unavailable. We previously had been talking to the steno in the office. She goes and gets the corporal, and the corporal says that he is unavailable.

He referred us to another PDF captain, Captain Drake, at another number. We tried to reach Wong or Drake at the different number that the corporal has given us but we get no answer. The corporal is called again and says Drake should return to his office in 10 minutes. This is now 10:10.

Cisneros is informed of those attempts to get in touch inside the Commandancia, but so far no luck with anybody in response.

MacDonough then contacts the corporal again and asks for Wong or Drake, and is placed on hold for 7 or 8 minutes.

Then an unidentified officer answers the phone at 10:33. MacDonough again asked for Wong, but the officer states Wong is unavailable and offers to take the message. He never identifies himself. Therefore MacDonough does not give him any messages, because we don't know who it is.

So, finally, attempts to contact Wong terminate at 10:55. That is a period of 1 hour and 25 minutes.

We are trying to make calls into the Commandancia.

Senator LEVIN. Was he asked to identify himself.

General THURMAN. He never did.

Senator LEVIN. But was he asked to identify himself?

General THURMAN. "He," MacDonough? The officer inside the PDF, MacDonough said to him who is it I am talking to, and he would not give him that information.

Senator KENNEDY. I just wonder. [Deleted.]

General THURMAN. No. [Deleted.]

Chairman NUNN. General, may I ask one question? You mentioned a while ago that you turned down the request to give Giroldi your phone number.

General THURMAN. Yes, that's right.

I told my [deleted] to turn down a request.

Chairman NUNN. Why was that?

General THURMAN. I turned down that request because, one, the way in which the contact and all started on Sunday night, the feasibility of the operation, in my view being ill-conceived, ill-led, ill-motivated, and designed for failure, I did not want Giroldi triggering my reactions to that. So I did not give him the telephone number. [Deleted] did not give it to him. I did not overturn that decision.

They reported to me that they had not given him a telephone number.

Chairman NUNN. It was continuous all the way through here?

General THURMAN. This was Sunday night, when the contact was made.

Chairman NUNN. He never had the number, though?

General THURMAN. He never had the number to anybody in our phone system given to him by us. We did not give him a number.

Now, you will remind yourself that I do have contact through the intermediary to Mrs. Giroldi, thus to Major Giroldi, and we use that in order to deliver information. She delivers information back to us through the course of events until the coup began at 8 o'clock.

Senator EXON. May I follow up on that?

Chairman NUNN. Yes, go ahead.

Senator COHEN. You have published phone numbers, don't you?

General THURMAN. Oh, sure. They have phone numbers and we know some of their phone numbers. But I did not give him a phone number and say this is a "coup management phone number." I did not do that. [Laughter.]

Chairman NUNN. Senator Exon.

Senator EXON. Following up for a moment on Senator Nunn's question, you said you did not give him the telephone number, and

I heard you on two or three occasions say that it was because you thought this was a flaky operation from the beginning. Weren't those your words, "flaky operation?"

General THURMAN. Yes, and I stand behind it. Nothing has changed my view since the aftermath of it.

Senator EXON. You thought this was a flaky operation from the beginning and you communicated that to your superiors?

General THURMAN. I communicated that up to the National Military Command Post, and when I talked to Colin Powell on the morning of Monday before the coup went down on Tuesday, I told him that the thing was ill-conceived, ill-motivated, ill-led, and had a fatal flaw because they are going to try to talk Noriega into retirement and that is an absurdity.

Senator EXON. Given all that, can you confirm what we have heard from the Secretary of Defense and the National Security Adviser to the President of the United States, that they indicated to you or your people down there that not only would they not give Noriega to us, in fact, they told you or your subordinates that no, they would keep Noriega from us because they wanted him to retire.

Is that right?

General THURMAN. That's right.

Senator EXON. Well, given all of that, I guess what mystifies me is why we were involved in this thing at all?

General THURMAN. I was in it, one, because I've got a force protection mission for the Canal Zone. Spillage can occur any time one of these things takes place.

So, for my own protection of my own force, I wanted to be up and on alert and in a position to defend anything that came down. In other words, if it got out of hand, if they started attacking Americans, then I was going to be ready for them.

Senator EXON. So you are telling us then that the actions that you took with regard to blocking roads and so forth was not to aid in the coup; it was to protect our forces?

General THURMAN. I am saying to you that they asked me to block those two roads. I agree to block those two roads in my own mind and recommended that it was okay to block those two roads because it was consistent with my force protection responsibilities in order to keep the Canal Zone safe, to protect the locks, to protect the Canal, to protect my own people.

Senator EXON. But you didn't block the road. The troops finally came down by our Embassy, didn't they?

General THURMAN. No. I blocked it for all practical purposes because I blocked it west of Howard Air Force Base in order to keep the troops from coming into Howard.

Senator GORTON. But he is asking a different question.

Chairman NUNN. Now wait a minute. Let's see if we can't get through the narrative first. I am trying to confine questions as we go simply to clarification of fact. I think General Thurman is about to finish his narrative aren't you?

Why don't we let General Thurman finish and then we will rotate on the questions.

General THURMAN. Okay.

Are you guys auditing those times over there? Are you still working on that?

Colonel HENNESSEE. Yes, 11:18 is when the PDF officers——

General THURMAN. No. We are looking at 1300 or 1325. That is the key there.

So, at 12:10 now—and this is 1310 Washington time—we have the official announcement on TV that all is right and Noriega is fine.

I briefed the Chairman on Cisneros' meeting with the coup representatives concurrently with all this. I don't really know whether the coup is over, so I am continuing to work.

The Chairman reiterates the CINC's authority to execute course of action numbers one and two. Course of action number one is if they turn him over to us, we'll take him. Course of action number two: try to figure out if you can use [deleted].

He said course of action number three, going in and taking down the Commandancia, is a decision that we reserve at the National Command Authority. You are not permitted to do that until you clear it with us.

At 12:59—this is back over here [indicating], where they asked us to block the road—I had blocked the road to the west of Howard Air Force Base because I still think people may be coming down that road. At 1300, [deleted]—this, again, is the [deleted] business—ordering the [deleted] because they have the situation under control.

Senator GORTON. That is one of the times that just cannot be correct.

General THURMAN. Very will, sir. I will have to audit it. If we made a mistake, I will correct it.

At 1330, we have troops with black berets seen running into the Commandancia. Black berets are the troops from Rio Hato—I beg your pardon—those are UESATs troops.

Now, where did they come from? I don't know. They didn't come down the causeway, to the best of my knowledge. They could have been off duty people that were mobilized and turned out. I don't know. Later the UESAT company commander was detained for interrogation because he didn't respond fast enough.

I reported to the JCS about 1336 that it appeared the coup was over. Radio Nacional comes on 3 minutes later and says the coup is over. Later, I find out that Noriega possibly was in the courtyard here [indicating], of the Commandancia. My OP, sitting on top of the building above me, reports that and that is confirmed later. Giroldi and others were reported to be marched to the courtyard, again by the OP, and minutes later we hear gunfire briefly from the ballfield, the motor pool that is located close to that, where people were reportedly executed. Curious—we are not sure about that.

Then the Commandancia is under control at 1352, under the control of Noriega.

From 1400 to 1800, there are some explosions. It is quiet. People are stacking weapons.

I have to get all my school bus kids home, 4,000 of them, and I direct plans to do that; open the gate at Amador at 1515; we get the buses on the route; we close off the bus runs at 1740, and we

have air cover while we're doing all the bus business, in case somebody tries to pick on them.

Now I need the events of the coup, or inside the Commandancia chart.

This comes from some hindsight.

Giroldi is in here [indicating]. He gets there at 7:30, announces the coup to the troops. Noriega gets there at 7:40. The disturbance goes down and there are first reports of gunfire.

We find out by debriefing that the general staff was arrested by the rebels. The Fourth does control the Commandancia at 9:14, under control of the coup. Noriega and three aides are in his office, in his, Noriega's, office.

The three loyalists officers convince Noreiga to leave his office and they are reported again by our observation post that we saw the Fourth Infantry escorting approximately 20 prisoners across the compound. That could have included Noriega. But the three officers who were locked up with him said let's leave the office and go talk—9:45.

At 10, Noriega engages Giroldi in a long conversation. Licona reports to us after he is granted asylum that he asked Giroldi to let him take Noriega to Fort Clayton. He actually ordered up a truck to do that at 10 o'clock, and Giroldi refused that. Then begins the 45 minute discussion between Noriega and Giroldi.

So these events occur simultaneously. Licona, who comes to visit with us at 11:18, leaves as soon as he is told he can't take Noriega and bring him to us. He leaves and comes to Fort Clayton.

He still thinks everything is all right when he leaves the Commandancia.

Then we get sporadic gunfire. At 11, Licona departs the Commandancia without Noriega, heads for our area, and the loyalist soldiers first penetrate the perimeter of the Commandancia. This is all gathered through debriefing work. By this time, 12:05, Licona is on the telephone with Giroldi. That is what we understand went down there at 12:05. After 45 minutes of conversation here, we have the report that Licona is still in touch with Giroldi inside the compound from our headquarters. The phone is taken from Giroldi by a Major Delgado, who is a loyalist to Noriega.

Captain Licona's demeanor changes again. That is when Cisneros observes that the body language and the demeanor goes from upbeat to downbeat.

Okay. What else do we have?

Here we are still inside the Commandancia. At 1300, Noriega noted [deleted] under control. Noriega is possibly in the courtyard by observation. We confirm that later. Giroldi and others were reported being marched out. Minutes later we hear gunfire. Later it is alleged that he was tortured before he was killed.

Troops are in formation in the courtyard undergoing body searches, and a radio broadcast here at 1600 says, his supporters, a curfew is announced by them. Prisoners are transferred to Fort Cimarron, which is east of the Tocumen airport.

How about the response by the PDF.

The coup began at 8 o'clock. [Deleted] [indicating]—to Panama City, by air.

Battalion 2000 is activated and mobilized to move from here [indicating] toward this airport [indicating], the major airport, and on down to the little airport in the city [indicating]. That is all done in 36 minutes after the coup.

We understand that Noriega is not prohibited from using the com system inside the PDF—not inconsistent with what went on because it was to be a bloodless coup. They don't want to shoot anybody and don't appear to cut the wire lines.

At 8:40, [deleted] and we find that people are moving by motorcycles from Rio Hato up the road. They get diverted into this point here [indicating], which is Chame, where there are other Casa 212s waiting.

We have a [deleted] report saying people are moving to the city. We get small aircraft picking up troops at Rio Hato. The Paitilla Airport is secured 2 hours and 17 minutes after the first shot is fired, right there [indicating], and aircraft from Chame Airlines, at Chame, which is located at this point here [indicating] are being loaded with troops. Troops were diverted from roads to the airport, loaded up on small aircraft, and they passed the Embassy at 10:50—you will recall that I showed you where the Embassy was—with 21 trucks. So they are in position on or about 11 o'clock.

At that time I said close Amador. Close it up, lock down everything in the American compound.

The rebels broadcast at 11:10 that there is a coup, and shortly thereafter the first people come in and penetrate the Commandancia. There is an announcement that the control has been restored within an hour, and there is a countercoup push within 30 minutes.

I closed off all the traffic west of Howard in order to make sure nobody comes in my base, and Noriega says it's over at 1 o'clock.

One final point and then I will be happy to answer any questions.

The double X-outs indicate people that have been killed. They were alive during the engagement; they were killed afterwards. Giroldi and Sandibal—there are many. One hundred people allegedly have been killed since the coup took place.

Where we have a line on the chart, Captain Drake has been arrested. Where we have people with a down line, they are under suspicion. The Treaty Affairs officer who we normally do business with, Palacios, has been arrested, put into jail.

Ow Young is the officer we tried to talk to when I answered Senator Kennedy's question, we were trying to get in touch with him, and the G-2—incidentally, both these guys are not nice guys. They are both thugs. But we did try to get in touch with them in the Embassy—or, in the Commandancia. Both of them have been arrested now.

Here is Palacios again. He has been taken off duty [indicating].

Relieved is Captain Diaz, who was the captain of the UESAT company; this officer is under suspicion [indicating]; and the commander of the Fifth Company here at Amador has also been relieved of his command because he did not react fast enough, as well as the commander of the Battalion 2000. He has been kept in office, but his subordinates have been replaced.

That is the sequence of events as I saw it as the on-the-ground commander.

I would be happy to answer any questions.

Senator EXON [presiding]. General, thank you very much. We are going to move quickly if we can.

We will hold our questioning to the early bird rule of 5 minutes, rotating from side to side. Chairman Nunn would be first. He is out of the room.

I will recognize first Senator Levin, and then we will go to Senator Cohen.

Senator LEVIN. General, one of the options that apparently you didn't consider was to close access to the Commandancia.

General THURMAN. That's right.

Senator LEVIN. Why didn't you consider that?

General THURMAN. I did not consider that because that was going beyond what was required to protect my people in the various installations which I had.

Senator LEVIN. But your third option went beyond that, too.

General THURMAN. Sir?

Senator LEVIN. Your third option went beyond that, too.

General THURMAN. That was specifically go get the persona of Noriega.

Senator LEVIN. But that went beyond protecting the people.

General THURMAN. That was definitely beyond it. That was one reason it was withheld from execution by the National Command Authority. I could not execute that without authority.

Senator LEVIN. My question, though, is why wasn't there a fourth option considered, which would be just to secure the Commandancia? You can't answer that by saying it went beyond protecting the people because the fourth option—I mean the third option—which you looked at also went beyond it.

General THURMAN. Look at the sequence in which I considered the options. One is I was looking at my options in terms of blocking roads, providing hospice for Mrs. Giroldi, as being totally within my authority in order to act in securing the Canal and the people that live there, the Americans who live there.

I don't have to secure the Commandancia to do that, so I didn't consider doing that. The only two things I did agree to do and recommended approval to do was to block the road and block Amador, because that is fully consistent with my own authorities to protect my own people.

I did not need to do that for the Commandancia.

Senator LEVIN. Did we tell Giroldi that we would take certain action?

General THURMAN. We told Giroldi in the [deleted]—get that out, [deleted]——

Senator LEVIN. Well, without spending the time to do that, did we ever tell Giroldi that——

General THURMAN. We told him that we would not guarantee U.S. action when the [deleted] left his presence.

Senator LEVIN. That we would not guarantee blocking the road?

General THURMAN. That we would not guarantee anything.

Senator LEVIN. Including blocking the road?

General THURMAN. That's right, sir.

Senator LEVIN. So he didn't know that we would do anything?

General THURMAN. That's right. At that point in time, that's correct. Moreover, as you recall, he said he was going to do the action whether the United States participated or not.

Senator LEVIN. So, when we decided to take certain actions, we never communicated that to them, to Giroldi?

General THURMAN. The only time we communicated that to Giroldi was when Licona came to Cisneros' headquarters and when they further asked us again, we then said okay, we'll block the roads. Cisneros asked me can I block the roads and I said yes. He communicated that back to Licona. But I cannot attest that Licona gave that to Giroldi.

Senator LEVIN. I understand.

Did they attempt to reach us from the Commandancia?

General THURMAN. We received no in-bound telephone calls, to my knowledge. I can't answer whether they tried to do that or not. I don't know.

Senator LEVIN. But our telephone operators have been checked and they say there were no efforts to reach us?

General THURMAN. I can't tell you whether all telephone operators have been checked. I will have to go and research that.

Senator LEVIN. That's a very important question.

General THURMAN. I will be glad to go and research that.

Senator LEVIN. The President was asked about that at his press conference.

General THURMAN. OK. I'll just tell you that I cannot answer that at the moment and I will go and research that.

[The information follows:]

In response to a question from members of the SASC during the testimony of Gen. M.R. Thurman, Southern Command conducted audit to determine if any PDF members had called on the telephone during the coup in an attempt to reach Southern Command Officials. The appropriate personnel in the key headquarters staffs of USARSO units and SOUTHCOM HQ were surveyed to determine if any PDF Officers ever tried to call to the CINCSOUTH during the coup. Throughout the coup a Spanish speaking officer was stationed continuously in the administrative offices of the Southern Command Headquarters to receive any phone calls from PDF members. U.S. forces in Panama have 13,868 phones, and all of the numbers are publicly available. Any of these numbers could have been called, and unless the person who answered the phone reported up the chain, there is no technical means of determining if U.S. facilities were called by a member of the PDF. The audit did not reveal any attempts by any PDF members to contact Southern Command Officials other than those already identified in the testimony.

Senator LEVIN. As I understand your answer to the question that Senator Exon asked, basically the reason that we took the actions that we did was not to help them but was to protect our own people.

General THURMAN. My motive was to help, to protect my own people, and it was consistent with what they asked me to do. I would have taken those actions anyway in order to protect my own people.

Senator LEVIN. Why did their officer go to Howard instead of to Amador? Wasn't it further away from the Commandancia?

General THURMAN. Do you mean Clayton?

Senator LEVIN. Yes, Clayton, instead of to Amador.

General THURMAN. The headquarters for the joint task force is located at Fort Clayton. That is widely known.

The commander there is Cisneros. Cisneros has been in the country for 3 years. He was there as the deputy commander of that unit. He was the J-3 of the SOUTHCOM, and then he took over command of the unit 3 months ago. Cisneros is well known to the Panamanians because they have carried a coffin around and staged a mock funeral to get rid of Cisneros.

Senator LEVIN. They considered that our headquarters, basically?

General THURMAN. Well, yes, because he is also the principal focus of their energy. When they want to pick on American forces, he is sort of the persona that they pick on.

Senator LEVIN. What would we have told them over the phone if we had been able to reach them? You said there were three efforts to reach them. What would we have told them?

General THURMAN. The answer is that we would have asked what is going on. We weren't offering anything.

Senator LEVIN. The man asked for a message and you said that we didn't give him a message because he refused to identify himself.

General THURMAN. That's right.

Senator LEVIN. What would the message have been if there were one?

General THURMAN. We refused to talk to that man for any kind of message because we didn't know who he was. The only message we would have asked is what is going on in the Commandancia.

Senator LEVIN. Thank you. My time is up.

Senator EXON. Thank you very much, Senator Levin. Senator Cohen.

Senator COHEN. General, is it fair to say there was [deleted] when you arrived at Southern Command dealing with coups to assist or in any way aid in carrying out the coup?

General THURMAN. I think that is fair. There are a lot of contingency files, a lot of contingency plans.

Senator COHEN. [Deleted] that would assist in the carrying out of the coup?

General THURMAN. Let me continue, if I may. There are a lot of plans, contingency plans, on file in Panama. Parts of those plans could be used, if one wanted to use parts of those plans, [deleted].

Senator COHEN. So what happened is you [deleted].

General THURMAN. I did.

Senator COHEN. Why wasn't there any assessment by the Defense Attache, Col. Al Cornell, who had left 3 weeks previously to go to Guatemala? I am told that he had very good contacts within the PDF and might have been of assistance in making an assessment on Giroldi himself in terms of his credibility.

General THURMAN. No excuse.

Senator COHEN. OK. The 470th MI Group—they were also not asked for——

General THURMAN. Oh, sure.

Senator COHEN. Were they?

General THURMAN. Yes.

Senator COHEN. They were asked for an assessment on Giroldi?

General THURMAN. Yes. I turned to my J-2 and said go pulse the—as a matter of fact, I don't know whether Colonel, Colonel—

Senator COHEN. Cornell.

General THURMAN [continuing]. Cornell—I don't know whether Colonel Cornell was pulsed or not. I don't know that. What I asked the J-2 to do is get me an assessment on Giroldi. The assessment that came back on Giroldi was not savory.

Senator COHEN. You don't know whether Cornell was checked?

General THURMAN. I don't know whether Cornell was checked.

Senator COHEN. You mentioned on item number two that there was [deleted]——

General THURMAN. What I said was that on item number two, when the Chargé reported back to me, he said we will be [deleted]. But at that particular point, they were [deleted].

Senator COHEN. You were told they didn't have that [deleted]——

General THURMAN. That's right.

Senator COHEN [continuing]. Which left you in the position of sending——

General THURMAN. One in three.

Senator COHEN [continuing]. Left you in the position of possibly sending U.S. soldiers [deleted].

General THURMAN. I was left with that possibility.

Senator COHEN. May I ask why there wasn't any notification to the rebels about the reinforcement until 11:38 by General Cisneros? Apparently from almost 8 o'clock on, or 8:30 on, our intelligence nets were there looking [deleted] and yet nothing was told to the rebel officers until 11:38.

General THURMAN. One, we tried to get contact with them Maybe we would have done that had we ever been able to get contact to them. But I did not give them that authority, to pass any messages. I just wanted to find out what was going in there.

You will remember that until 11:10, there is no coup announcement.

Senator COHEN. So you had no intent of telling them anything?

General THURMAN. One of the trigger events in my own schedule of events, as the local commander on the scene, was when are they going to go public and announce that there is a coup. The answer is that that did not occur until 11:10.

Senator COHEN. Prior to that, you were not prepared to tell them anything?

General THURMAN. I was not prepared to tell them anything. I tried tc make contact with them. I asked the Treaty Affairs guy to get in contact. He said all is under control.

But I was running my side of the show to protect American people and the defense of the Canal specifically.

Chairman NUNN [presiding]. May I ask a followup question on that point, without it counting against Senator Cohen's time?

What was the downside of letting the rebel officers know what intelligence we had? What was the risk of the downside of telling them there are forces coming?

General THURMAN. I am not sure there would have been a downside. But if you want to speculate about that, all I can speculate about that is to say if you tell them they are coming from the east, whether or not they would then have pulled the trigger on Noriega inside the compound. I don't know.

So I had not thought through the downside of informing them early. I did not do that because they had never announced the coup.

Chairman NUNN. Were you still suspicious of a setup? I mean, with the gunfire taking place and troop movements, obviously something had happened. Why was the announcement at that stage important, so important in your mind?

General THURMAN. It was important in my mind because at this particular point in time, there is not definitive information being broadcast to arouse the public to do that. Major Giroldi said he wants to do it generally bloodlessly.

I don't know whether the shootout inside the Commandancia that started at 8 o'clock was a hoax or not. I don't know who is wounded at that time. Therefore, from that particular point of view, I still did not know what was going on in the Commandancia.

Chairman NUNN. Thank you, Senator Cohen.

Don't take that time off Senator Cohen's time.

Senator COHEN. How much time do I have left?

Ms. CHAVEZ. One minute, 43 seconds.

Senator COHEN. A minute and 43 seconds. All right.

General, given the situation where you had to execute option number three, what is your professional assessment as to whether you could have gone in and taken out Noriega under those circumstances, where Giroldi was not prepared to turn him over? Could that have been done without significant loss of life, in your judgment?

General THURMAN. That would have been done with significant vulnerabilities because at that time, I had not only the PDF in position—you know, they had reinforced and now they were on the east side of the Commandancia—but I also had the PDF in the Fourth Company who were supporting the coup.

Major Giroldi told me before he wanted no American intervention in there. So if I had gone in, there would have been a significant shootout.

The forces at my behest to do that are mechanized forces, and heliborne forces. He had already told me if I flew over with helicopters, he would shoot at me.

I mean, the "good guy" said he would shoot at me. So I now had two kind of guys shooting at me—the bad guy and the good guy.

So, the risk was substantial.

Senator COHEN. Would you explain to me once more that garbled message by State, because it was kind of garbled as you explained it. I still do not understand it. Tell me what happened pertaining to that garbled message.

General THURMAN. We were doing our own development of contingency plans. We came up with three contingency plans—one, two, and three—which I indicated to you.

Get the chart out, fellows.

One, they turn him over.

Two, [deleted].

Three, military intervention.

At that time, then, the PDF people are coming into the Cisneros meet, at 11:18. We're developing those plans.

We report up to the JCS that we are working the three plans, and we inform laterally to the Chargé that we are working the three plans.

We also say oh, by the way, two officers are with Cisneros at the moment.

The garbled transmission comes in whether or not they have Noriega and want to turn him over to us—which they said later they did not—but we did not have that information at the time. So there was a garbling at that point as to——

Senator COHEN. Wait a minute. Who was garbling the message?

General THURMAN. Well, I think it was garbled by the Chargé, because I understand he wrote down a message or gave a telephonic report up to the State Department.

Senator COHEN. My understanding is he wrote down a contraction——

General THURMAN. That's right.

Senator COHEN [continuing]. Saying "won't." Or "want." So my understanding is ordinarily you do not put a contraction in a cable because it is too subject to misinterpretation. What you had coming up here was a contraction used in a cable, which could have been misconstructed, between "want" or "won't." It should have been "will not" or "would not" and not "won't."

General THURMAN. Whatever it is—you see, we had talked to him about these three options. If they had said they were going to turn him over to us or if they said they weren't going to turn him over to us, I didn't need to go through the option drill.

But we told him about the three options and we said can you carry out option number two?

So there may have been a contraction, either in the notes taken, or whatever, about that, in terms of doing that. That is where the misunderstanding occurs about that, in the heat of battle.

Senator COHEN. My time is up, Mr. Chairman.

Chairman NUNN. Where did Senator Exon go?

Senator Levin, have you already gone?

Senator LEVIN. I had my turn.

Chairman NUNN. Then I guess it is my time. Let me ask you a couple of questions.

General, you had just arrived in Panama. You had been there 2 days. Did you have a chance to review all of the policy guidance that came from the White House and the Joint Chiefs relating to the general situation in Panama?

General THURMAN. Yes.

Chairman NUNN. Was there policy guidance that told you what to do on the ground in the event a coup started taking place or in the event we were notified that a coup would take place?

General THURMAN. No.

Chairman NUNN. What was the policy guidance—to get in touch with Washington? What was it?

General THURMAN. The guidance, the standard orders, are to defend the Canal and protect American interests, people, and the Canal. Plus there are a number of other missions for down-country.

On or about July, either late June or late July—I need to look at the date/time grouping in there [indicating]—the JCS sent some in-

structions to Panama, which I was aware of, because I had read them up here before I went down there.

Colonel HENNESSEE. It's July 27.

General THURMAN. Yes, July 27. I read those before I went down. That said we want to increase the military operational presence with the forces located in the Canal Zone.

Thus began a series of exercises, among which was run a Mech Company in an amphibious operation all the way down to the edge of Flamenco Island, among which was go off of the Howard Air Force Base—Arajan area and go through the town of Arajan and turn around. That is where we had a confrontation, where we captured four PDF soldiers and disarmed them. So we had a standoff there in terms of that.

Chairman NUNN. When was that? Was that during the coup?

General THURMAN. Oh, no. That was before then—weeks before the coup. So there were a series of exercises designed to increase the readiness posture of the command and the like. But there was no specific——

Chairman NUNN. No policy guidance relating to what to do if there was a coup?

General THURMAN. No specific coup guidance, to my knowledge.

Chairman NUNN. There was nothing that said the first thing you do is tell them that our position will vary, depending on whether you recognize the elected government? There was nothing, no dialogue on that?

General THURMAN. No specific coup guidance on that. Now, if some had come down through [deleted] channels, I am not aware of that.

Chairman NUNN. But to you, as head of SOUTHCOM?

General THURMAN. To me, as SOUTHCOM, no specific coup guidance.

Chairman NUNN. Therefore, there would not be any [deleted] in any kind of formal sense as to what to do?

General THURMAN. As I indicated to Senator Cohen when he asked the question, there were [deleted]. There were and still are plenty of contingency plans at SOUTHCOM and various components of those plans.

Chairman NUNN. To carry out your mission?

General THURMAN. That's right. The various components of those could be used [deleted]. But no specific coup guidance.

Chairman NUNN. But there was no policy guidance telling you what to do in the event that you are faced with this kind of coup?

General THURMAN. That's correct. I'm giving you Thurman's view, having read the documents going down and when I was there at the time. In other words, I didn't have "Coup 101."

Chairman NUNN. Right. [Laughter.]

General THURMAN. What I did, my immediate action drill when I got word of this, was to get the [deleted] up and operating. That is when they went out and made the meet, and from that I made my assessment of what went on with Giroldi. I took action consistent with that.

Chairman NUNN. But there was no set procedure or standing orders that said here are the things you do in the event this occurs.

General THURMAN. That is correct.

Chairman NUNN. And there never was, to the best of your knowledge?

Did we ever tell them that the U.S. position may very well depend on whether you recognize the Endara Government?

Did we ever have a conversation with them about who they were going to have in power.

General THURMAN. The conversation at that time said, you will recall when Giroldi said it, you're not going to like our statements. You may misinterpret them as being anti-American.

Chairman NUNN. Well, did we ever tell them what we expected?

General THURMAN. We did not—until, until the morning of the 2nd of October. When a decision is made here in Washington and is referred to me to pass back to the coup plotters, we want to hear on the radio broadcast that you are going to stand up for free elections—I'm sorry—stand up for elections and international support.

Chairman NUNN. What time was that? I'm sorry, I don't have that down.

General THURMAN. That was at—all right, guys. Quit writing and listening and get the chart up. That occurred in a conversation between Collin Powell and myself, as I recall it, at 0945, on the morning of October 2, Monday, before the coup went down.

We subsequently wrote the paragraph——

Chairman NUNN. That was after the coup was already underway?

General THURMAN. No, no. This was Monday, before the coup.

Chairman NUNN. Okay.

General THURMAN. To the best of my recollection, that comes out of a [deleted] meeting that says get in touch with Thurman and tell Thurman to tell the coup plotters to insert these two sentence structures in—it was 0915. I was off by 30 minutes.

The Chairman instructs me to include in the broadcast statement "desire for democracy and international support."

Chairman NUNN. Nothing about recognizing the government that had been elected?

General THURMAN. That's right.

Chairman NUNN. Let me ask you this with the last part of my time on this first round.

What do you think we ought to do now? If you could write your own policy guidance now, what would it be?

General THURMAN. Oh, I'll tell you, sir, I'm not in the policy business. I'm in the execution business. [Laughter.]

Look, I went to school here, and as one very able fellow told me, he says they never give the same exam twice. [Laughter.]

You know, I have learned a tremendous amount. I got about 6 months of work compressed into 3 days.

So, in the aftermath of all that—I'm going to give you my views—it is important that we understand fully the dynamics of coup management because "Joe Schmutz," can appear tomorrow morning and say he wants to run a coup and would you like to help me. We have to be prepared to evaluate all of that, and the National Command Authority has to get into it.

So, there is work to be done to understand the validity of "coupitis" and to confer with our seniors here about how they want to do all of that.

Now, from my standpoint, as the operator in the area, I have to show you a map which was a very important consideration from my point of view. That is the first map that I had today.

Here [indicating] is where the PDF lives and works on a daily basis. The troops that I have in the Canal Zone have, as their primary mission, defense of the Canal, and all government property and people in view, among other things.

So, when one listens to a coup master from whatever segment of their population, I have to consider that I have to be in a position to protect myself from any one of these PDF units doing anything they want to do, including the Dignity Battalions, who could be called out to go and harass and intimidate American civilians.

I have more than 20 installations that I am required to protect and all the people located therein, including families.

So, therefore, any consideration of "coup-itis" has, as part of its problem, the protection of the American forces. Therefore, piecemeal, incremental operations associated with letting somebody else pull the string on the coup can cause us to dance to his tune.

From a military standpoint, that has some risks to it. Therefore, I applauded—I didn't craft it, but I applauded—Secretary Baker's comment that says if you bring down something, you ought to bring it down on your own terms, with your own time schedule, on your own sequence of events, because I have a lot of responsibilities here, other than dancing to Giroldi's tune, or the next Giroldi, located in the Commandancia or Fort Amador, or wherever.

Let's think ahead about that and say suppose Giroldi did pull the coup and Noriega was not there. He said that's what he was going to do. He didn't want bloodshed. He didn't want to do that. He was going to talk Noriega into retirement.

Suppose Noriega had not been in the Commandancia and he pulls the stunt of having everybody shoot their guns up in the air about that, and goes down to the local radio station doing that. I have to find Noriega.

So, I mean, if I assaulted the Commandancia at that particular time, and Noriega is at Rio Hato, which is 100 miles away, that would be foolish as hell, for me to do that.

So, what I guess I am saying to you is listening to the motivations of the coup people is an important indicator as to whether or not anybody ought to jump on some coup guy's bandwagon to do something, from my perspective, as a military guy.

Chairman NUNN. One followup.

Under the circumstances you have been through, I suppose you would, at this stage, welcome some policy guidance. Would you not?

General THURMAN. I think that all that is going on here in the National Capital Region, and that whatever they decide——

Chairman NUNN. It would be helpful to you, wouldn't it?

General THURMAN [continuing]. Whatever they decide, I will be happy to execute. [Laughter.]

Chairman NUNN. I take that as a "yes." [Laughter.]

General THURMAN. I just say incremental activity at a place not of our choosing is very onerous.

Chairman NUNN. It's very difficult, which makes the policy guidance even more important, from your own point of view.

General THURMAN. It means that you may not be able to bring it all off with just the forces in country. In other words, for example [deleted]. And so, if somebody said he wanted to decapitate the PDF command and control structure, including the persona of Noriega—and I use "decapitate" not in killing nature, but as the arrest or whatever—he has eight different locations through all this area that he could be at at any one time.

So if you chase the rabbit one at a time, that is not a very useful military deal because he has the advantage over you. He is moving on you.

So one of the things that one would want to consider is what is the totality of one's operation and what is one going to do about that, given his professional military judgment.

Chairman NUNN. Thank you, General Thurman.

I believe Senator Lott is next.

Senator LOTT. I did have to leave for a while but have now come back.

Did you ask the key question? [Laughter.]

Chairman NUNN. I asked several key questions. [Laughter.]

Senator LOTT. Okay. I apologize.

I want to know [deleted]. But apparently Bill asked that question.

Senator COHEN. He doesn't know if they had the capability or not.

Senator LOTT. Well, somebody was informed that they didn't have the capability.

General THURMAN. Then let me go back to that circumstance and make sure that I have clarified it. I was looking at three alternatives myself. Number one: they turn him over to us. That's simple.

Senator LOTT. I remember the three.

General THURMAN. Number two: [deleted]. Number three: go do it yourself.

Senator LOTT. [Deleted].

General THURMAN. I can't tell you that.

I asked the Chargé could you pulse the system on your side [deleted].

Now, you understand good guys and bad guys are now closing on the area. He reported back to me, "I cannot do that." I don't know why.

Senator LOTT. Mr. Chairman, I would like for us to have some opportunity to ask that question of the intelligence community. I mean, that is a key question. If [deleted] to do that, I think we ought to know why not.

Chairman NUNN. I agree with you, Senator Lott. We are working very closely with the Intelligence Committee. We are trying not to get into the things that they are basically experts on and vice versa.

On the other hand, Senator Cohen sits on both committees and Senator Boren was invited. I am sure there will be followup on that.

Senator LOTT. We need to "bore in" on that question.

Senator COHEN. And we need Boren in on that question. [Laughter.]

Senator LOTT. The question is for how long did you know that Noriega was in some sort of custody? Was it an hour? Was it 45 minutes? Was it 2 hours?

How long was it?

General THURMAN. I knew for sure at 11:20, when the two emissaries come in and they tell me they have got him.

I later find out, though, Giroldi, from 10 to 10:45, has been shooting the bull with him about what is going to happen.

So they have been in verbal discussions there from 10 to 10:45. I have it on fairly reliable authority that he was in the Commandancia earlier than that, but under what jurisdictional control inside that I don't know. I don't know fully about that.

Senator LOTT. So, from 11:20——

General THURMAN. Onward.

Senator LOTT. From 11:20 to when did you not know?

General THURMAN. Well, the coup was announced to be over at 1300, or thereabouts.

Let us reconstruct the events in the Commandancia for just a moment.

We got a report that he arrived there at 7:40. This was an OP, looking down and through the Commandancia saying it looks like Noriega's car, it looks like Noriega, Noriega we think is in the Commandancia.

That starts at 7:40.

Recall that I have been written up in the press as being the "wary General Thurman."

Recall, you understand that Major Giroldi said he was not going to do the coup if Noriega was in the Commandancia.

So, at 7:40, we get one report that he may be in there. Later on we find out that he is under arrest. The red line says that he is under arrest from 8:30 [indicating].

This is an hour timeline, where they either have him in the room or whatever, where they say the General Staff, including Noriega, is under arrest there.

Then, starting at 10 o'clock, Noriega and Giroldi converse.

Senator COHEN. General, one question.

Is there something in the reports that indicate that Noriega was allowed to call his mistress around 8:30?

General THURMAN. I had heard that, but I can tell you that I have never seen that report written down. I have heard that just like you have.

Senator COHEN. It's not written down?

General THURMAN. I don't know. I just say that I have not seen it.

Senator LOTT. When were you convinced, or felt like you knew, that he was, in fact, in the Commandancia?

General THURMAN. I felt like he was in there from 7:45 on.

Senator LOTT. Till what—11:45?

General THURMAN. At 11:30 I know for sure he is there.

Look, at this time Major Giroldi has not announced a coup yet, and that was one of my trigger events.

Why? [Deleted] issues me an order that says oh, by the way, have him stand up and say something about the two points that we

raised when they go for the coup broadcast. That does not get done until 11:10.

So, one of the things that I'm looking for is the legitimacy of the coup. That's Thurman talking, as the Commander on the scene.

So, one of my principal trigger events in my own mind is do they broadcast it in the open air and oh, by the way, I fed them some data to broadcast about that the previous day.

Senator LOTT. Well, I know that other Senators have questions and you have gone over this point in great detail.

Thank you, sir.

I have a very high regard for you.

General THURMAN. One last point on the opposition.

You know, you still digest the intelligence news as it comes in.

You will recall that Mrs. Giroldi, in her statement in Miami, says, "We didn't favor the opposition."

That's after the fact. And you now tie that with Giroldi telling me you're going to find the statement we make, maybe you may construe it to be anti-American.

So what I'm trying to suggest to you is that I go back to my original—my original—analysis Sunday night: ill-led, ill-motivated, and ill-conceived operation, fatal flaw, does not decapitate the personae. I don't mean that in an onerous sense. Doesn't seize Noriega and say we're going to turn you over to anybody and get you out. Rather, we're going to get you out to the farm there someplace and let you be the landlord, a typical Latin American coup where we send you to the farm and you retire ever-after.

So I'm just telling you that I'm conditioned by that, based on the original meet between [deleted] and Giroldi, who also, when I delve into his background, he is one of Noriega's staunch supporters.

Senator LOTT. Let me just ask you one other question here.

General THURMAN. Sure.

Senator LOTT. Something was said about going in to get him militarily. Were you prepared on a short timeframe to do that?

General THURMAN. "Short" is arbitrary. I don't know what short is. If you say 2 minutes, then no, I could not do it in 2 minutes. Did I have a string on——

Senator LOTT. Within 30 minutes?

General THURMAN [continuing]. A mechanized company—I probably could have gotten in there within 30 minutes.

Senator LOTT. Thank you.

Chairman NUNN. Senator Thurmond.

Senator THURMOND. Thank you.

General, I'm glad to see you again.

General THURMAN. Thank you, sir.

Senator THURMOND. I wish the public generally could have heard your statement. It would clear up a lot of matters.

As I understand the thrust of your statement, in a way it is this.

What you did was to protect your people. In other words, it wasn't to join in the coup unless the situation would have so warranted at a later time. But by blocking this road there, you would have done that anyway——

General THURMAN. That's right, sir.

Senator THURMOND [continuing]. Because in view of the disturbances taking place, you felt it necessary to protect your people, to block this road.

General THURMAN. That's correct, sir.

Senator THURMOND. Is that correct?

General THURMAN. That's correct, sir.

Senator THURMOND. Now, another point, as I understand it, you had no official authority to participate in this coup.

Is that correct?

General THURMAN. No, that is incorrect.

I had official authority based upon the telephone conversation between the Chairman of the Joint Chiefs of Staff and me to do three things that they had asked to do, two of which fell into the category of what I would have done anyway to protect American people, and the third was to provide sanctuary for Mrs. Giroldi.

In other words, they had asked for that. I relayed that up the chain. I gave them a rationale why we could do that anyway, which was to protect American forces. But to say that I was reacting to their request, I did react to their request. I passed that information up the line and I was authorized to do that.

Senator THURMOND. Under what conditions would you have participated in the coup?

General THURMAN. I would have had to have National Command Authority to do that, other than the blocking of the two roads and the welcoming of Mrs. Giroldi if she wanted to come in. I would have asked for such authorities from the National Command Authority.

I was specifically enjoined from the Pentagon that, when I recommended U.S. forces to go into Noriega, they said you can't do that on your own hook; you must ask for authority from us.

Chairman NUNN. When you recommended?

General THURMAN. You will recall the three courses of action. I sent them up the tape. Then General Powell and I have a telephone conversation and we get authority to do one, which was receive Noriega if they turn him over to us.

Chairman NUNN. This is on Monday?

General THURMAN. This is on Tuesday.

Let's go back in time.

There are three events that the coup people ask about. One is blocking of the two roads.

Chairman NUNN. Right.

General THURMAN. I justify the blocking of the two roads because I would block the two roads anyway in the protection of American lives and property, and it was consistent with the treaty rights.

So I said I can do that because I would do it anyway.

The third one was to take Mrs. Giroldi.

Chairman NUNN. That was on Monday?

General THURMAN. That was Monday, 9:15 Monday morning.

Subsequent to that, I developed three alternatives to go get Noriega into our custody. One was to receive him if they turned him over to us; second, [deleted]; third, to use U.S. force to go in and get him.

I was told on the third, use of U.S. force, do not execute that on your own hook unless you have authority from us to do it.

Chairman NUNN. Would you yield without it being on your time?

Senator THURMOND. Well, I've got to get to the floor.

Chairman NUNN. I just want to follow up on that point.

Did you ever recommend number three?

General THURMAN. No. I did it only for planning.

Chairman NUNN. Did you ever recommend either of the other two options?

General THURMAN. No, I didn't. I said we're working on it. We're prepared to go and do it, and we're working on them.

Chairman NUNN. Thank you.

General THURMAN. By the time the sequence of events occurs, the coup is over.

Chairman NUNN. Right. Thank you.

Senator THURMOND. General, you stated that there was no specific coup guidance as the commander on the ground.

I want to ask you this question. Do you believe you need or would prefer to have specific coup guidance from Washington, or are you better off with the flexibility to respond to individual situations?

General THURMAN. For clarity of command and control, it would be nice to have specific guidance.

Senator COHEN. Would it have made a difference in this case if you had had it?

General THURMAN. Sure.

Senator COHEN. Given the uncertainties, given the lack of planning, given the——

General THURMAN. Oh, I would not have recommended getting in this particular one. But we are now asking the hypothetical question of——

Senator COHEN. Assuming you had a "Coup 101 Manual," would you have——

General THURMAN. I would not have recommended this coup. This coup is ill motivated from the start. It is ill conceived in its thought process. It is ill led. It had a fatal flaw, and it was carried out according to plan. Therefore, it failed.

Senator THURMOND. In other words, as I understand from what you said, they were going to execute this coup themselves.

General THURMAN. Correct.

Senator THURMOND. They were not asking you to come in and join them and take Noreiga.

General THURMAN. As a matter of fact, they used such words as "stay out of it" and "don't be heavy-handed," and "if you fly over my Commandancia, I'll shoot at you."

So they didn't want us to participate specifically in the coup. They only wanted us to participate in the two blocking operations.

Senator THURMOND. They wanted to do it themselves. They wanted to get credit for it and wanted to do it their way.

General THURMAN. And oh, by the way, they were only going to install themselves in a higher ranking job, which was the motivation to start with. It's called this: my good friend, Hennessee, comes in and says Thurman, I'd like to get you out of your job so I can get promoted.

Chairman NUNN. Generals take a dim view of that no matter what country, right?

General THURMAN. You're damn right. [Laughter.]

Senator THURMOND. I think my time is about up. Thank you very much.

Thank you, General. I'm glad to see you.

General THURMAN. Thank you, Senator Thurmond. You know, I'm changing my name next week so that I can spell it like yours.

Senator THURMOND. As a matter of fact, if you had asked me, I think you should have done that before now. [Laughter.]

Chairman NUNN. Senator Exon has not had a turn, nor has Senator Coats.

Senator EXON. General, when Major Giroldi came to you—and you have told us time and time again that you felt this was ill advised in the first instance, and so forth and so on—and said that he was not going to turn Noreiga over to us, was there ever any conversation, or did you or Major Giroldi ever mention Endara, who we like to think should be in charge down there because he was elected?

I read press reports on what Endara has said afterward. Endara says exactly what you have been saying, that they were not for this coup because they didn't think that a government under Endara would be likely to be recognized, even if the coup had been successful, because it would just change strong-armed military dictatorships.

General THURMAN. He never mentioned [deleted] to my knowledge, that he would have anything to do with Endara one way or another.

He just simply said that the broadcast could be perceived to be anti-American.

Colonel HENNESSEE. Strongly nationalistic.

General THURMAN. Strongly nationalistic in terms.

Colonel HENNESSEE. Understood to be anti-American.

Senator EXON. So, Endara, from what you know—if you have read the reports that I have and you must read even more—Endara did not think that democracy would be any better off in Panama had this coup sueceeded. Is that right?

General THURMAN. That's what I understand he said.

Senator EXON. Is that your viewpoint also?

General THURMAN. My view is it was motivated for the purposes of upward mobility of the coup plotters and had nothing to do with the democratic interests of the people in Panama.

Senator EXON. I want to come back to a question I asked you yesterday and it has been hinted at today. I am going to phrase my question another way.

It has always been to my amazement that we did as much as we did, from what you and others have told us, given the attitude that they had.

You said they don't want anything to do with us, they'll shoot us down, but block two roads for us still.

You say, General—and I suspect that I'm going to take your side on that—that you had the right to block those roads if you wanted to.

General THURMAN. I sure did.

Senator EXON. To protect——

General THURMAN. American interests, because I had people living at Fort Amador. I had families living over there. So, therefore, any time there is a potential shootout from any standpoint, I'm going to go on to Fort Amador and take charge of all Government property in view—simply because I have American people who live there. So I have the right to do that, not only in the exercise of my treaty rights, but also to protect the people that live there. And I would do that again tomorrow morning, with or without a coup.

Senator EXON. The Noreiga support forces, finally got through to help rescue their leaders. Did they go by or were they any more of a threat to your concern for American safety?

Did they go by or through places—what is the distinction with these two roads that you did block?

General THURMAN. The distinction of the two roads—bring me the other map. Here it is. I have it right here. Located at Fort Amador, we have American dependents living in American housing.

Senator EXON. Yes, I understand.

General THURMAN. At the end of this causeway [indicating] is their equivalent of [deleted]. Also, right across the golf course that is located here is a Panama Defense Force compound, which includes one of the headquarters that Noriega frequently uses.

Therefore, the blocking of this particular area permits me to control ingress and egress from Fort Amador and thus facilitates my protection of the people living there.

Senator EXON. But the Noriega forces that would hurt our people were down there, and you couldn't control that.

General THURMAN. One company is located here on Flamenco Island [indicating] and one company is located directly across the golf course.

So what I do is I position my forces so that if any of the PDF come toward my place, I'm there in force to say don't screw around with the Americans living here because if you do and you shoot at me, I'll blow you away. Now, we've exercised that enough times that they know that.

The road from the west [indicating] is the road from Rio Hato and two companies that are very loyal to Noriega.

He goes out there frequently and resides on the weekend out there.

The road that they would use, if they came by road, comes on the north flank of Howard Air Force Base, one of the most important installations to U.S. forces. All my petroleum is located right up here [indicating].

So, when I blocked this road [indicating], I blocked it so that if PDF forces are leaking through here, if anybody wants to fight coming through here [indicating], I'll take them on, so that they don't threaten our Air Force base or my petroleum storage, which is located here [indicating], that supplies our air force base. That is the reason those two places are important to me.

Now, how did the PDF come? The answer is they did an air mobile operation—very well done, by the way—all the way over to

Tocumen [indicating]; picked up the force located in the east; and they shot down this road right here [indicating].

Now, when they started coming down this road right here, you might ask me why didn't you go out there and block them? The answer is I am only going to do the two things that I was asked to do. I checked that up and down my chain of command. And oh, by the way, if I am now going to pick a fight with the PDF, I am going to do more than just go out and block these forces. I'm going to blow them away everywhere that I can.

So that would make me decisively engaged. Again, I tell you when I get decisively engaged, I'm not going to do it based upon the lousy coup plan, which has the American interest not necessarily at heart.

Senator EXON. My time is up.

I guess we can sum up by simply saying that you feel it was merely a coincidence that you blocked the two roads that they asked you to block because you would have done it in any event to protect American lives.

General THURMAN. It's a coincidence, yes. But I must say to you they asked me to do that, and I justified it to my seniors to do it because it fell in within the plans I would have done anyway if they had gone on alert and I had gone on alert.

Senator EXON. Thank you, Mr. Chairman.

Thank you, General.

General THURMAN. Thank you.

Chairman NUNN. Senator Coats.

Senator COATS. General, I am still very confused about the decisionmaking process. It somewhat along the line of Senator Exon's question. You had recommended on Sunday that the plan was flawed, et cetera, et cetera.

General THURMAN. Right.

Senator COATS. You had gotten pretty much a response back in agreement to that, I assume. I am not sure I heard what the response was from the Chairman, the Secretary of Defense, or anybody else, that might have been involved in formulating a policy decision as to whether they agreed with you, or whether the United States should assist in this plan, or whatever. Was the basic response that we agreed, and who did it come from?

General THURMAN. The Chairman of the Joint Chiefs at 9:15 on Monday morning said that I was authorized to do the two things that I said to him the coup plotters had asked for.

Senator COATS. But he didn't give any response in terms of whether he agreed with you as to whether the plan was ill-conceived, or on your three basic options there?

General THURMAN. I don't recall that specifically in the conversation, whether he intimated yes or no.

But I told him that I thought from the get-go, again, that it was an ill-conceived coup plot. But I was going to work on these two things irrespective of what happened because I was going to protect my people there.

Senator COATS. Right. But the troops that came down the coastal road, the 2000——

General THURMAN. This way [indicating].

Senator COATS. They came by the American Embassy.

General THURMAN. They surely did.

Senator COATS. Why couldn't you conclude that you ought to block that?

Couldn't you use the same logic to say well, the American Embassy would be threatened?

General THURMAN. I could have done that.

Senator COATS. But you were not authorized.

General THURMAN. I beg your pardon?

Senator COATS. But you were not authorized?

General THURMAN. No, no. I didn't ask to do that. That is not in my plan for the defense of the Panama Canal, to go and outpost that road.

Senator COATS. But wasn't it in your plan for defense of the Americans? That's the second part of your criteria.

General THURMAN. On the Embassy?

Senator COATS. Yes.

General THURMAN. It does not include the necessity to go out here [indicating] and block the road West of here. If I have to go down and rescue the Americans, if I think we are in a complete alert, then I will go and get them and take them back in.

As a matter of fact, we conducted in broad daylight in Panama, before I ever got there, a vertical helicopter assault on the top of the Embassy with a Marine force in order to go in and rescue people in the Embassy if they needed rescue. So there are ways to do that. I don't have to become decisively engaged here to do that.

Senator COATS. Weren't you concerned that your decision to block the two roads would be perceived—and it has been—as partial complicity in the coup attempt, yet, at the same time, destined for failure because of your early analysis that this thing was fatally flawed?

General THURMAN. I don't find it inconsistent to take actions which inherently, in their own right, are for the protection of the American people, and that is the charge which I have been given, the specific mission which I operate with every day.

If there had been a shoot-out going somewhere in downtown Panama, I would go on alert and I would move my forces to do that. The fact that it falls into the category of saying did they read that as a signal that we have now complied with their demands on the coup—I alert my superiors and said look, I'm going to do that. If that coup goes down, I'm going to protect my people.

Senator COATS. During that alert, did you discuss the possibility that this could be perceived as complicity in the coup event, or were you aware that General Powell or others discussed that as a possibility and that perhaps there was an option of saying, let's not do anything until the picture becomes more clear because we don't want to be implicated?

General THURMAN. Okay.

I did not discuss complicity or duplicity. I told him I was going to go and do that and, therefore, it was consistent with what they asked me to do anyway. I did not get into a debate on how that would be read later. I did say to him it's perfectly consistent with what I'm going to do to protect American forces anyway.

Now, there are people who say I gave them indicators because I had my own aircraft flying. If you look at the CNN newsspots, you will find helicopters in the background, you will find aircraft up.

I had my aircraft up so that I was ready to protect American people if it spilled over into the American domain.

I don't find that inconsistent. If the coup plotters want to read that as symbolic of American commitment to it, I'll just say that may be what they read into it, but my obligation is to protect Americans citizens. I was not going to lie low and let it go on without my observation and having my forces ready.

Senator COATS. Was the decision on the telephone linkup solely yours or was that a decison also discussed with Washington and a response back in terms of not establishing a link with your headquarters?

General THURMAN. No. We simply reported that we did not give them a telephone number.

Senator COATS. That was your decision?

General THURMAN. It was the [deleted] rec—they reported that they did not give them the telephone number.

I ratified that by saying fine.

Senator COATS. Was there any thought on your part or anyone [deleted] that they ought to see some direct link with Giroldi so that if events changed, if events turned out differently than what he had planned or anticipated, you would be able to immediately contact them and find out what was going on?

General THURMAN. No.

Senator COATS. In other words, a link that other way.

General THURMAN. We had a link the other way—through the contact of [deleted] and through his wife. That's the link we used.

Senator COATS. Right.

But it's not logical to think that if he is holed up in Noriega's office, that necessarily his wife or your [deleted] contact is going to be able to have a direct linkage, is there?

General THURMAN. We didn't establish a link, and I'm the guy who said don't establish a link.

Senator COATS. Okay. I have a thousand more questions but my time is up and I have to leave. Thank you, General. I appreciate the briefing.

General THURMAN. Yes, sir. I am happy to come up.

Chairman NUNN. I recognize Senator Cohen.

Senator COHEN. Thank you, Mr. Chairman.

Could I go back to the issue that Chairman Nunn was concerned about, and that is this "coup manual" once again?

General THURMAN. Well, it's not a manual.

Senator COHEN. Oh, I understand. I would judge, from your statements, that the best coup and the one that is supportable would be one that was planned and executed by the U.S. military. That is the best kind of coup.

General THURMAN. The military?

Senator COHEN. The United States.

General THURMAN. I didn't say that.

Senator COHEN. Okay. Then strike that.

General THURMAN. I didn't say "military."

Senator COHEN. Okay. United States, period.

General THURMAN. Just the United States—that's different.

Senator COHEN. All right. We'll go back to that.

Let's suppose you get some guidance as a result of this disaster that occurred from Mr. Giroldi and from now on you are told: General, before we lend any assistance to a coup operation, you must deal with reliable individuals. That's number one.

Number two, they must be well-intentioned; that is, to establish democratic rule, recognize the victors in the last election.

Number three, they must have a well-conceived plan.

Number four, it must be militarily sound.

Number five, they must have weapons other than 22 calibre pistols that have silencers on them, so that we don't get the issue of assassination.

Now, if you have those policy guidelines, assuming you now have them, would you act any differently than you did under the circumstances in terms of——

General THURMAN. No, because it doesn't meet your test.

Senator COHEN. So, even if we provide you with contingencies in the future saying look, if you have all of these factors, this is how you shall order your troops into action, you can use the full force of the troops that we have down there, your recommendation would have been what in this case?

General THURMAN. Thumbs down.

Senator COHEN. All right. Now that does not avoid the issue that perhaps in the future we ought to have these things spelled out. You would like to have that kind of guidance, which you already exercise as a matter of practice anyway. These are all the things that you did on the ground without it being written down?

General THURMAN. That's right. I was clairvoyant then. [Laughter.]

You see, I had not been there long enough to get my brains analyzed.

Senator COHEN. It is a question of you being clairvoyant or this just being consistent with prudent military judgment?

General THURMAN. Thirty-six years of service told me this was a bummer.

Chairman NUNN. Senator Cohen, I was supposed to rotate back here. We could go ahead and use your time. Did you want to follow up on that.

Senator COHEN. I have one other very quick question.

Chairman NUNN. Then go ahead.

Senator COHEN. You are absolutely certain that the orders were to block the roads, the two roads, that you mentioned?

General THURMAN. Do you mean the request?

Senator COHEN. The request and your order: you block those two roads.

General THURMAN. I did—I did it on my own timeline.

Senator COHEN. Okay. You were not simply told to be in a position to block them?

You actually blocked them?

General THURMAN. I did block them. But they were on timelines that I chose.

Senator COHEN. Okay. Thank you. That's all.

Chairman NUNN. Let met follow-up on Senator Cohen's question for just a moment.

If you had had policy guidance as suggested by Senator Cohen in effect, the first thing that you would do if you meet with them is tell the coup plotters, we're not going to be involved unless you do the following, one, two, three, four, including recognition of perhaps the government that had been elected—we don't know what the reaction would have been had that happened, do we?

General THURMAN. No.

Chairman NUNN. They could have decided to wait and not attempt the coup at that time. They could have decided to comply with our request. They could have done anything.

General THURMAN. And what he told me was it didn't make any difference whether we joined him or didn't join him; he was going to do it anyway, in this case.

Chairman NUNN. But we did not give him a set of things to——

General THURMAN. We did not give him a bill of particulars.

Chairman NUNN. Right. Had we done that, he might have done the same thing anyway, or he might have done something different?

General THURMAN. Correct.

Chairman NUNN. Following Senator Cohen's question, when we asked Chairman Powell on October 6 about this same blocking, he said, and let me quote him to see if you can explain this discrepancy. I am quoting General Powell before this committee: "The Secretary advised me that we should put forces not only at their force protection locations, but to block the roads as part of our force protection activities. So it was at this point, shortly after noon, I guess it was, SOUTHCOM was advised that the forces that were in force protection posture could be put out to block the roads. So at that point, roughly after noon on Tuesday, General Thurman was directed to do that."

So what we have understood is that this authority to actually block the roads, as opposed to putting the forces in place to block the roads, was not given by General Powell until Tuesday.

That is what he attested to before this committee.

But your, understanding was that you had that authority on Monday?

General THURMAN. There is a fine line about that. I don't have any recorded telephone conversation. I don't have any tape system down there to record it. He may have told me it's okay to have forces in positions to be blocked, which is what you are alluding to there.

Chairman NUNN. That's what he said.

General THURMAN. Let me just explain what I did. I heard that, that said we could do that. But I then triggered it on events, as I read the intelligence in order to protect my people, and I would have done that whether he told me to do it or not.

Chairman NUNN. You thought you had that authority, or understanding already?

General THURMAN. Absolute, total authority to do that on the protection of the force business, because I had dependents and whatever.

Chairman NUNN. Do you recall him giving you the actual go-ahead on Tuesday to do what you had already done?

General THURMAN. Yes, I think that is in the logs and I'd done that. I'd already done it. I had done one of them at that time. I did the one—in fact. I think in both cases I did it before he told me to.

But I did it because I read the intelligence, as it was, and I saw these guys coming down here from the east coming to it, and I said block Amador, close it down.

Let me add one thing to that, Senator Nunn, if I might. If tomorrow there wasn't a coup, I'd go and do those kinds of things based upon the fact that I am the local commander and I have to read the intelligence information as best I can and take steps to protect things.

Chairman NUNN. So you didn't think that you needed further authority to do that?

General THURMAN. Absolutely not. Now, if he'd have come back and said you are not permitted to block it, then that would have been a negative signal.

Chairman NUNN. But he never said that.

General THURMAN. He never said anything like that to me. So, I made the assumption, based upon good military judgment of the exigencies of the moment, that I was authorized to do that.

Chairman NUNN. They understand that Major Giroldi asked for a military representative to meet with him. Is that right?

Did he ever ask for a military representative to meet with him?

General THURMAN. I don't know that. The only meeting that we had with Giroldi directly is [deleted] both of whom are very competent guys, by the way.

Chairman NUNN. As far as you know, he never requested a military meeting?

General THURMAN. I don't know that. Is that in the report, [deleted] Frank?

Colonel HENNESSEE. I'll look, sir.

Chairman NUNN. You never turned one down, then?

General THURMAN. I never turned one down, but I don't recall being asked to provide one.

Chairman NUNN. General, what is the balance of military power down there in your assessment?

General THURMAN. What is it now?

Chairman NUNN. Right—if we got into it with the forces on the ground there, in the air, whatever. If we got into it with the PDF, right into the middle of this situation or another situation, do we have sufficient forces on the ground to be able to carry out your mission?

General THURMAN. My view is the military mission, protecting the Canal and protecting the people that are located there, for that we have sufficient forces located in the country to do that.

If you give me a different mission, which is to decapitate the PDF structure and bring it down and decapitate the persona of Noriega and bring him down, and oh, by the way, protect the Canal and protect the people there, I do not have sufficient forces in country to do that. I will depend upon outside resources to help that out.

Chairman NUNN. What would likely happen if you tried to do that with the forces we have there?

General THURMAN. You would leave some unprotected. U.S. facilities or people. I indicated on that first map that U.S. facilities are scattered across the country. You would be in the business of taking down the most important PDF areas first. I have run that to ground preliminarily and I will not be able to take out all of the important PDF facilities on ground at the same time simply because I had too many protection missions to ensure that, while I am doing something in pursuit of the PDF, they are not coming in the back door and attacking an installation where there are families located.

Chairman NUNN. Even just those first two missions, even without the decapitation mission, if they chose to, wouldn't it be very difficult to protect those families and those children, since they are located in so many locations?

Could you indeed protect most of them, all of them?

General THURMAN. It is my military judgment, with the forces in being, that we can protect the people that are down there.

Now, we do have a number of American businessmen, et al., who live in the Panama community and not on my installations. For those people it would be difficult to do it, unless they had some prior notice. But for the people in the Canal and all that, I find that we have sufficient force in country to do that.

Chairman NUNN. Senator Levin.

Senator LEVIN. Press reports indicate that the wife of Major Giroldi contacted us 3 weeks before the coup attempt.

General THURMAN. I know nothing about that.

Senator LEVIN. So the first contact we had was on that Sunday?

General THURMAN. That's correct, sir.

Senator LEVIN. Press reports also indicate that the CIA consulted with some officials in Washington and told Giroldi or his wife that we would be helpful and specified ways—at some point.

General THURMAN. I know nothing about that.

Senator LEVIN. So you don't know whether the CIA told her or him that we would be helpful?

General THURMAN. I know nothing about that. I know of the meet that I authorized between [deleted] and Giroldi on Sunday night as the first contact to my knowledge. If something else went on before that, I know nothing about it. And it was not raised in [deleted] to me of the meeting.

Senator LEVIN. And you did not authorize them to tell Giroldi that we would be helpful in any way, including blocking those roads?

General THURMAN. As a matter of fact, we told them specifically that we make no promises on the Sunday night meet. Let's see if I can find that.

Senator LEVIN. Oh, that's fine.

General THURMAN. I want to make that right. It says that he was told that his request would be forwarded up the line for consideration but that he should not expect a reply prior to implementation of his plan, because he was going to do it the next morning.

Senator LEVIN. If Giroldi had called you or one of the coup leaders had called you during the Tuesday morning period from the Commandancia, would you have taken the call?

General THURMAN. Sure.

Senator LEVIN. I don't understand your answer as to why you wouldn't give them a number where they could reach you.

General THURMAN. I'm not trying to evade it. I'm just saying that I'm not interested in getting triggered by Giroldi, but if he called up, I'd answer.

That may be an inconsistency, that I didn't give authority to give him a telephone number. But if suddenly somebody had said Giroldi is on the telephone and wants to talk to you, the chances are I'd talk to him.

Senator LEVIN. But you don't want to make it easy for him.

General THURMAN. I don't want to make it easy for him. I think he is a thug to start with.

Senator LEVIN. He might have been a thug that could have removed Noriega for us.

General THURMAN. He might have been.

Senator LEVIN. As far as you know, the coup leaders then did not have reason to believe from any source that we would block those roads or help them in any way, except for talking to the wife?

General THURMAN. To the best of my knowledge, we never confirmed that we would do that. It was going down the next morning and we did not get back in touch with them Sunday night. Then the later contacts we had were for very express purposes, to say include in the announcement the following things.

Senator LEVIN. We were told by General Powell that they would not give us a phone number to get into the Commandancia. Do you know anything about that?

General THURMAN. No. But we had phone numbers inside the Commandancia. We knew them very well and we exercised them during the coup.

Senator LEVIN. But you don't know anything about the refusal to give us a number?

General THURMAN. I don't know that.

Senator LEVIN. Did you say that we could have blocked the entrance to the Commandancia in 30 minutes or less?

Give us a time. About how long would it have taken?

General THURMAN. Oh, 30 minutes, an hour. Now that would have been a risky deal.

Senator LEVIN. I just want to know how long it would have taken.

General THURMAN. Thirty minutes to an hour.

Senator LEVIN. That option, though, was not one of the ones that you considered in your planning, the three options you have gone through a number of times. The military option was limited to or described as going in and doing it ourselves, taking him out ourselves. But none of the options was simply to block the access to the Commandancia?

General THURMAN. Absolutely correct. I never considered blocking the Commandancia. The only consideration was go in the Commandancia and get him, if presented the opportunity.

Senator LEVIN. All right.

Chairman NUNN. When you answered the question with 30 minutes to an hour to block it, does that assume that you would have no resistance or does that assume that you are in a firefight?

General THURMAN. That makes the assumption that I'm in a firefight and that would be very risky, but I have aircraft up.

Chairman NUNN. You're saying you would have been able to prevail in a firefight?

General THURMAN. You're asking me that?

Chairman NUNN. Yes.

General THURMAN. I think so. Yes, or I wouldn't have gone.

But I would have shot up a lot of stuff. And that is a very densely populated, tinderbox construction area. It's nothing to be looked at lightly.

Chairman NUNN. There could have been a lot of people killed.

General THURMAN. A lot of Panamanians could have gone down and sunk there.

Senator LEVIN. You say that you were told by Giroldi that if you flew over the Commandancia, "I'll shoot at you."

Is that what he said, "I'll shoot at you?"

General THURMAN. Let me see if I can get precisely what the report was.

Senator WARNER. Mr. Chairman, maybe at this point we ought to ask that the report be included in the record in its entirety, so that we can look at the context in which that key statement was made.

General THURMAN. Let me just look at this.

Chairman NUNN. Could we put that report in the record?

General THURMAN. Sure.

Chairman NUNN. Without objection, we will.

[The information referred to follows:]

1. Following are full accounts of sequence of events and information details concerning refs:

A. Sequence of events began about 2000 hours evening of 1 October, when wife of fourth company commander Major Moises ((Giroldi)) Vera contacted [deleted] that she had a message to convey to a senior USG Official, preferably in SOUTHCOM, on behalf of her husband. [Deleted.]

B. [Deleted.] Mrs. Giroldi had little detail other than the fact that her husband intended to take over the central HQS of the FDP with support from the Dobermans and the Cavalry squadron morning of October 2 and wished meet with U.S. (preferably SOUTHCOM) official to provide details. [Deleted.]

C. [Deleted.] Mrs. Giroldi had little detail other than the fact that her husband intended to take over the central HQS of the FDP with support from the Dobermans and the Cavalry Squadron morning of October 2 and wished meet with United States (preferably SOUTHCOM) official to provide details. [Deleted.]

D. [Deleted.] In the end, the CINC recommended to JCS that the previously scheduled exercises for October 2 be cancelled (it was very large exercise and would have suggested U.S. collusion with any activity at Commandancia, and by provoking FDP to prematurely raise alert level would have had good chance of disrupting any plans for actions at the Commandancia). They were replaced by security exercises at the Amador and Quarry Heights entirely consistent with fast exercises (company jogging on causeway, but with military equipment close at hand; security platoon deploy at Quarry Heights).

2. Major Giroldi's story is as follows:

A. He leads a group of FDP officers who feel it necessary for institutional reasons to insist on compliance with "Law 20," particularly the provisions for required retirement dates. With support of the Commanders and troops of the 1st Public Orders Company (Dobermans) and the Cavalry Squadron, he and his 4th company, assigned to security duty at the Central Headquarters plan to take over the FDP Central HQS building at 0900 local (1400 Zulu) on October 2, and issue a demand for

the retirement of General Noriega and Colonels Justine, Furcell, Ow Young, and Mina.

B. The first overt action by the group is scheduled to be the take over of three radio stations fifteen minutes before the implementation of the main part of their plan. The three stations—Radio Nacional, Radio Mia, and Radio Exitosa—will broadcast a "strongly nationalistic" statement in justification of their actions which the planners hope will not be misunderstood as anti-American.

C. Regarding other military units, Giroldi had this to say:

(1) He had spoken personally to the [deleted] who had agreed to remain neutral.

(2) They consider the Air Force to be divided, and thus will consider all aircraft overflying the FDP Central HQS building to be hostile, and will fire on them. Subject specifically mentioned only helicopters in this context, but it would be prudent to apply the statement to all aircraft.

(3) On the local scene, [deleted]. Neither unit has organic transportation for their entire force.

(4) [Deleted.] One of the social events Noriega was to have attended in Panama City on Sunday was a birthday party for the Machos De Monte Commander, so there is a good chance the unit commander is still in Panama City.

D. The officers essentially have no plans beyond holding Central Headquarters, demanding the retirement of Noriega and others, and hunkering down to see what happened. They specifically do not RPT not expect Noriega to be at Central HQS when their action is taken, and consider this a favorable element of their plan, because they hope to avoid bloodshed, and feel certain that were Noriega present, actions by his bodyguards would make bloodshed inevitable.

E. The officers involved in the plan do have a list of "good" senior officers, among whom they would expect to find the next FDP Commander. The "good" officers are [deleted]. According to Giroldi, they have not RPT not discussed their plans with any of these officers.

F. Giroldi had two requests of the USG which he made in the context of expressing the hope that the U.S. would take no RPT no actions overtly or heavy-handedly supporting his action (which he feared would discredit it). First, he hoped that the exit to Ft. Amador could be blocked to prevent the Fifth Company and UESAT from moving to attack the Central Headquarters; and secondly, he hoped that any forces marching on the capital from the west could be halted on the western approaches to the bridge of the Americas. He was told that his request would be forwarded up the line for consideration, but that he should not expect a reply prior to implementation of his plan. He indicated that he intended to proceed with his plan with or without U.S. support.

G. On more general issues of expressions of U.S. attitudes towards the FDP and the actions proposed by Giroldi, he was provided the standard line concerning U.S. support for the institution as a whole and willingness to deal with a new leadership selected by the institution. Mrs. Giroldi and children plan to take refuge on Fort Clayton during the morning of October 2 as a precautionary measure.

H. When asked "why now?" Giroldi had a reason. He pointed out that with the provisional president in New York preparing to address the UN, there was no alternate political leadership available to reinforce Noriega or lend him its authority (however diminished).

I. Finally, Giroldi mentioned without prompting his own role in the March 16 failed coup attempt. He noted that he was supposed to have been a participant in the plan, but that he and many others held back because they considered the leaders of the plot to be no better than those they would displace. In prior remarks, Giroldi's wife had mentioned a feeling of guilt for not carrying out his role in the previous plot as a motivating factor.

3. Comment: Rather than a formula for a successful coup, this appears to be a formula for a stand-off. On the basis of very brief contact in the middle of the night, [deleted] considers Mrs. Giroldi to be a sincere and rather brave woman, and the Major (who has somewhat Indian features and is more difficult to read) to probably be sincere. That is not the same thing as successful, however, and we think the odds are probably against him on that score. We will soon know.

4. But . . . last minute information indicates we will not know as soon as we had anticipated. SOUTHCOM has just advised that [deleted] a note from Mrs. Giroldi (delivered in the [deleted]) which says that due to coordination problems, the "hour" of the activity had been postponed, and she would advise the new "hour" as soon as possible. We interpret use of "hour" to mean it is still today. However, we do not really know. Note also went on to reiterate the great need for silence and secrecy. We might mention that we have now had the first open-line international call (that we know about) on this subject. Someone on state desk just called embassy on open

line to say that department spokesman had told them something would happen in Panama this morning that spokesman should know about, and what was it?

Senator LEVIN. I think that will be very helpful. General Thurman said that Giroldi said, "I will shoot at you." In other words, I know it's you and I will shoot at you. Is that correct?

General THURMAN. Let me get that sheet of paper.

Senator LEVIN. Knowing it's you, I'm going to shoot at you. That's what you said Giroldi said.

General THURMAN. He said knowing that the Air Force is split, don't fly over my Commandancia, I'll take you under fire. That's the best of my recollection. But let me get that. It won't take but a second.

[Pause.]

The quote the [deleted] gave me was: "They"—Giroldi—"consider the Air Force to be divided and they, thus, will consider all aircraft overflying the Commandancia headquarters building to be hostile and will fire on them."

Senator LEVIN. For that reason—not because they know it's you and will fire on you, but because they don't know who the hell it is they will fire.

General THURMAN. That's right.

Senator LEVIN. That gives such a very different flavor from the way you speak about it here. You say, "I'll shoot at you."

General THURMAN. Okay. I'm giving you my impression as the on-the-scene commander. It says if you fly over my Commandancia, I will fire on you. The quote is: "They consider the Air Force to be divided and thus will consider all aircraft overflying the PDF Central Headquarters building to be hostile, and will fire on them."

It's pretty clear guidance from the guy who says he's running the coup.

Senator LEVIN. I understand. I can understand his statement. The difficulty is——

General THURMAN. Subject specifically mentioned helicopters in this context.

Senator LEVIN. Why not at least tell Giroldi that we will block the roads?

Try that again on us.

Since you were going to block the roads, why not at least tell them that? What harm is there?

General THURMAN. The decision not to do that on my part is simply on the matter of I am doing what I'm doing in the force protection game.

Senator LEVIN. That's the justification.

General THURMAN. That's my justification.

Senator LEVIN. But he asked for assistance and you decided to give it to him, justifying it with a different kind of rationale.

Why not tell him that?

General THURMAN. Okay.

The incident at the moment is we told him through the [deleted] report that we would take it all on board and send it up the line; and, therefore, do not expect an answer back on it.

He says I'm going to do it whether you do it or not.

Okay. Then it doesn't go down the next day. So I don't go back and tell him okay, I've got authority to go and block the roads and

I will do that for you. That's a judgment call on my part and I made it.

Senator LEVIN. Thanks.

Thank you, Mr. Chairman.

Chairman NUNN. General Thurman, I just have a couple more questions.

How do you assess the threat to American forces and to the Canal now?

What is your threat assessment given what has now occurred?

General THURMAN. First of all, my threat assessment is that it is based upon the purge that has occurred inside the PDF apparatus; that he has, on the one hand, intimidated the PDF; on the other hand, he may not have solid control over it yet because you now have new commanders at every level of command because he has killed several, arrested several, and removed several.

So there is some turmoil and upheaval inside the PDF at the moment. But on the other hand, since he broke the previous code of Noriega and the PDF, where people who previously plotted coups were simply exiled or abolished, he has now done something quite different than he did before, which is he has rubbed out a lot of people.

So, therefore, I would say the intimidation factor is enormous inside the PDF on the short run, although the discomfiture of people who may still be working for him may still exist.

So, if you ask me does he have solid command and control in the PDF at the moment, I would say he may have it through fear and intimidation, but he may not have excellent control over them.

So I think it is a mixed opportunity about his command and control, although he is ruling it by fear and intimidation at the moment.

Chairman NUNN. What about the threat to our own forces, to your mission, to our people down there now, compared to 10 days ago, before the coup?

General THURMAN. I think the threat is higher. I have recognized that threat because I have increased the security, for example, that operates on a series of roads that it is perfectly within my right to operate. I run 24-hour-a-day police patrols on those roads in order to give my people an opportunity to get to work and get the kids to school.

So I think the threat is higher.

I personally have established a curfew from 2300 hours till 0500 in the morning to keep people off the streets.

Chairman NUNN. Americans?

General THURMAN. Americans—my people, whom I have control over.

Senator WARNER. Military and civilian, or just military?

General THURMAN. I can control the military.

Senator WARNER. But not the civilian?

General THURMAN. But I cannot control some business, some American businessmen, say an American businessman that works with Texaco. I don't have any control over them.

So I think the situation is more egregious there at the moment and, therefore, it requires tight security on my part. I am trying to tell the people who are there that my interest is in protecting

them, so that they feel very comfortable, so that they see the U.S. military on the road protecting people, so that they feel good about it.

Now, I'll tell you that a lot of people are antsy about that. Do you follow me?

In other words, they recognize that I have them in a very secure state of alert. I have them at the what we call PML Charlie level, which permits them to go to and from the military installations, does not permit them to go into downtown Panama, except directly going to where they work and where they live.

So I think the situation has a high threat potential to it down there.

Now, the second thing that Noriega has done is he has enfranchised his new legislature, which he did last week, and he is rabble rousing the anti-American spirit down there. If he finally gets his own house in order—he has removed a number of civilian teachers from the school system of Panama because he says that they are against the state. He has tightened up laws to control various and sundry payment of income taxes and the like. He claims people who don't do that are against the government. He has established some martial law conditions.

So he is beginning to move into the social, economic, and judicial functions in new ways. Previously, he legitimized himself as the commander of the armed forces, but now is taking more direct control through Rodriguez, who is the president, in terms of exerting more military control over the civil life of the country.

So, if you ask me is it more hostile today than it was 10 days ago, the answer is yes.

Chairman NUNN. Is it time to get our dependents out?

Have you made any recommendations along that line? What do you think?

General THURMAN. I have made a recommendation to reduce the dependent population to a group of key and essential dependents.

That recommendation is being worked in the Pentagon even as we speak.

Chairman NUNN. How many would that mean drawing down? What would we have left?

General THURMAN. At the moment, I believe the dependent number is on the order of 10,000 dependents, with about 4,500 families. I would recommend to go below 500 families.

I would consolidate them on several installations, as opposed to scattering them through a number of installations.

Now that does not include the Panama Canal Commission, which has 1,100 families and another 2,200 dependents, an average of about two dependents per family.

I have a meeting scheduled with General McAuliffe, who is the Commissioner of the Canal from our side as soon as I get home tomorrow or the next day. I told him I want to sit down and talk about that because we have to look at the treaty implementation plan in the largest context. The treaty says we are supposed to be out of there by noon, December 31, 1999.

So, my personal bias—I had that before I went down there. I reported to the Chairman as I left here to go down. I said within 10 to 15 days you will get a message from me recommending, based

upon my current knowledge of the situation down there, that it is time to move some more dependents out. I have sent that message.

Chairman NUNN. What would be your definition of those who had to stay? How would you define those that need to stay?

General THURMAN. I would look at key and essential numbers of the battalion commanders, maybe principal battalion command staff, principal Air Force staff, principal U.S. Army Staff.

Chairman NUNN. Their families, do you mean?

General THURMAN. Yes, sir. I would look at the billet of those officers and then they would be declared key and would be stationed there on a 24 month tour. We would receive their dependents and shrink the number of houses I currently have scattered through the Canal to a lower number of houses. If you had 500 key and essential billets that could bring families, then the take rate on that is about 350 to 400. So you would probably end up with about 400 families there.

Let's suppose I was married. In other words, I would be a key and essential person. My family would be permitted to go.

Senator WARNER. Did you say "go" or "remain?" Do you mean "remain?"

General THURMAN. I would be permitted to take my family to Panama because I was a key and essential member of the group that I designated key and essential.

Some are linguists highly trained [deleted] linguists. So there would be a group of key and essential billets. We have gone through the drill of identifying them.

As a matter of fact, when it came up from the staff and each one of my component commanders in Panama, they said it ought to be about 800. I said under no circumstances will it be more than 500, and I am going to personally look at every single billet to make that choice. I have not finished doing that yet, but I have signaled to the Chairman that it is on the order of 500 families, or 500 key billets that would be permitted to stay there.

Chairman NUNN. Without getting into any controversy about General Woerner and his termination and the press reports and all of that, I would like to ask you about one part. He was supposedly critical of not having sufficient policy guidance.

I know that because I heard him say it. I heard him say it in reference to the drug situation, that he did not think we had a real drug policy. I don't know whether his critique went further than that. Can you enlighten us on that?

General THURMAN. No, sir.

Chairman NUNN. You don't know?

General THURMAN. He and I have never talked about his policy statements. I steadfastly stayed away from that in talking to him. I talked to him for 2 hours before I took command down there about 6 weeks before I went down to the command, when I had been announced.

But I didn't get into that. I asked him about business, what I had to do when I get down there from his perspective, because I had never served there before, although I had visited there several times. So my conversations were business. I never asked him about the policies.

Chairman NUNN. Senator Warner.

Senator WARNER. I have no questions.

Chairman NUNN. General, we have taken a lot of your time. You have been very helpful to us.

General THURMAN. Well, I hope it is useful for you. I appreciate the courtesy that you have given me and I was happy to come up here. Thank you very much.

Chairman NUNN. Thank you, sir.

[Whereupon, at 12:44 p.m., the briefing was adjourned.]

1989 EVENTS IN PANAMA

FRIDAY, DECEMBER 22, 1989

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The committee met in executive session, pursuant to notice, at 9:06 a.m., in room SR-222, Russell Senate Office Building, Senator Sam Nunn (chairman) presiding.

Committee members present: Senators Nunn, Gore, Warner, and Wallop.

Members present from the Armed Services Committee: Arnold L. Punaro, staff director; Lucia M. Chavez, security control officer.

Professional staff members present: John J. Hamre, and David S. Lyles.

Minority staff members present: Patrick A. Tucker, minority staff director and counsel; Romie L. Brownlee, deputy staff director for the minority; and George K. Johnson, Jr., professional staff member.

Members present from the Select Committee on Intelligence: George Tenet.

OPENING STATEMENT OF SENATOR SAM NUNN, CHAIRMAN

Chairman NUNN. The committee will come to order. The committee meets this morning to receive a briefing from the administration on the United States military action in Panama. I want to welcome to the committee today a very distinguished panel: Mr. Henry Rowen, Assistant Secretary of Defense for International Security Affairs, Mr. Bernard Aronson, Assistant Secretary of State for Inter-American Affairs. Is Bernie going to be here?

Mr. ROWEN. As far as we know, he is on his way.

Chairman NUNN. Lt. Gen. Thomas Kelly, the Director of Operations for the Joint Chiefs of Staff; and Mr. Richard Kerr, Deputy Director of Central Intelligence; as well as a familiar face, Jim Locher, who we welcome back here today.

As I indicated to the Defense Department on Wednesday, the committee's primary interest today is in the operational and intelligence aspects of our military action in Panama. I would like the briefers to review the planning stages of this operation, to discuss the process leading to the decision to execute the plan, to outline the marshaling and transportation of troops for this operation, describe the military units involved, command and control arrange-

ments, specific missions, their movements, their activities, and the degree of success that they have had in carrying out their mission, as well as the remaining tasks facing the United States forces in Panama.

General Kelly, I want to express to you my admiration and thanks to the U.S. military personnel involved for the courage and skill that was demonstrated in this operation, including the planning and coordinating by the Joint Staff here in Washington.

I also want to express my deepest sympathy to the families and loved ones of those who have lost their lives in this operation.

This session will be conducted at the Top Secret/Codeword level, and I would ask the committee staff director to certify that all legislative branch personnel have the proper clearances. I will also ask Tom Carter of the OSD legislative affairs to certify that all executive branch personnel have the required clearances. I guess I am getting an affirmative on that.

Mr. PUNARO. That is right, Mr. Chairman.

Chairman NUNN. Also before we begin discussing Panama this morning I want to get Mr. Kerr, if he would, or one of the other witnesses, if they will, to give us a brief update on the situation in Romania.

Press reports indicate this morning that President Ceausescu may have been apprehended as he tried to flee the country. Mr. Kerr, could you tell us anything about that?

STATEMENT OF RICHARD KERR, DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE

Mr. KERR. [Deleted.]

CIA TESTIMONY ON ROMANIA

Chairman NUNN. Is this going to be a bloody revolution?

Mr. KERR. [Deleted.]

Senator WARNER. It is interesting to see that a poet seems to be one of the central figures leading this revolution. Could you describe, to the extent there is a structure that is formulating, this displacement of Ceausescu and his government?

Mr. KERR. [Deleted.]

Senator WARNER. Is that the poet?

Mr. KERR. [Deleted.]

Senator WARNER. Unlike Czechoslovakia, where the Forum apparently had been working for several weeks in the type of coalition.

Mr. KERR. [Deleted.]

Chairman NUNN. That was on television. It looked like he was stunned. The man must be completely out of touch to think he was going to be able to stay.

Mr. KERR. [Deleted.]

Chairman NUNN. His brother is a high level official in their armed forces, is he not?

Mr. KERR. As you know, everybody is in the government, but our guess is they are all running right now, very fast.

Chairman NUNN. What is the military doing?

Mr. KERR. [Deleted.]

Chairman NUNN. Are they holding together and fighting?

Mr. KERR. [Deleted.]

Chairman NUNN. How good are our contacts in Romania? How much on-the-ground intelligence do we have there? Do we have any contacts in that government?

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Senator WARNER. Given that this nation's upheaval is bringing about so much bloodshed in contrast to the others, do you think the Soviet Union might treat this one any differently—not that they will march in militarily, but that Gorbachev might seize on this as an opportunity to get on the bandwagon and help the freedom fighters?

What is the Soviet Union likely to do?

Mr. KERR. [Deleted.]

Senator WARNER. Certainly not militarily, I rule that option out. But I am saying maybe Gorbachev getting on the air and saying hey, look——

Mr. KERR. [Deleted.]

Senator WARNER. What about Hungary? They, of course, are very sympathetic to what is taking place in Romania. Are they able to offer any assistance?

Mr. KERR. I would say the one concern with Hungary is that you have that large Hungarian population. It is a population that has been intimidated—actually, more than intimidated—moved out of houses and forced relocation by Ceausescu, and so, if anything, you will have a closer support from Hungary as long as there is no ethnic violence in the northwest.

[Deleted.]

Chairman NUNN. How does that military balance tilt?

Mr. KERR. Between the two?

Chairman NUNN. Hungary and Romania, with no outside forces, does Hungary have much of a military?

Mr. KERR. It has a large military. Quite honestly, I do not know, I am not familiar enough with that. The Romanian army is rather large and others here may know better than I do. I do not know that much about Romania.

But my impression is that it is a rather well-trained, reasonably good force.

Senator WARNER. But, given Ceausescu is out of power, who would give the orders to the army?

Mr. KERR. That is a good question. I do not know the answer to that. It may disintegrate. We may find it just without leadership, certainly the senior people, but the military itself may retain some coherence.

[Deleted.]

Senator WALLOP. Don't the KGB have close relations?

Mr. KERR. [Deleted.]

Chairman NUNN. Mr. Rowen or General Kelly, do either one of you have any comments on Romania?

HON. HENRY S. ROWEN, ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS

Mr. ROWEN. No. I have been concentrating on other things.

Chairman NUNN. General Kelly?

General KELLY. No, sir, I do not.

Chairman NUNN. Well, I know you have all been under a great deal of strain. To put things in perspective, yesterday morning I was on television. Right after I got off, a lady called who was very agitated and concerned, she said to my staff, tell the Senator that my family and I are heading down fishing in Destin, Florida. We have got to go right through the heart of Panama City. Ask him if it is safe. [Laughter.]

So the question today is, is it safe? Why don't we start? Mr. Rowen, where do you suggest?

Mr. ROWEN. Senator, given what you describe as your interest, I think we should begin right away with General Kelly's presentation on planning of the operation.

Chairman NUNN. General, why don't you lead off? Since we have a small number of Senators, if we need to interrupt, let us do it. If we get a larger number, we may have to change the rules here.

STATEMENT OF LT. GEN. THOMAS KELLY, DIRECTOR OF OPERATIONS, JOINT CHIEFS OF STAFF

General KELLY. If it is all right with you, I would like to go up by the maps, sir, and I will give you the general background of what occurred prior to introducing forces into Panama, and then I will ask Adm. Ted Sheafer, our intelligence officer, to paint you an intelligence picture, and then I will cover the actual operation.

The large map you see there is the one we use with the press. That is pretty well sanitized. This is a classified map of what our actual operations are. They are fairly close together.

We began planning this operation [deleted] and it was called for a [deleted]. As a matter of fact, we changed that name on Monday, but we used [deleted] because it was mundane and that sort of is good for operational security. But we wanted to give the operation a name that characterized it and we thought that Just Cause was a good one.

We learned a lot from planning this exercise. As a matter of fact, the pace of the planning up over the past, I would say, 4 to 5 months, quickened considerably for a couple of reasons. Number one, we felt that we needed to improve the plan and, number two, General Thurman became CINCSOUTH and had his views on how the plan should be accomplished—and he had to execute it, so that was valid.

We made what I think will prove to be some fortuitous and sound decisions in that we established a chain of command that was short and effective, and that chain of command ran from the Secretary of Defense through the Chairman to the CINC—that is obviously the way it works—down to the field commander, General Carl Stiner, Commander of the 18th Airborne Corps, and he commanded all military forces in Panama that were involved in this.

Chairman NUNN. Would you take it up from the CINC-on, from that point on? Who was after the CINC?

General KELLY. General Carl Stiner, sir, Commander of the 18th Airborne Corps. So your national chain of command was tight. It was short. There was no question.

Chairman NUNN. General Stiner had control of everything below that?

General KELLY. That is correct, everything. Incidentally, that is one of the first times we have done that. It worked out beautifully.

In addition to that, every facet of this plan was [deleted].

It was an exceptionally detailed operation, to include fire support and everything else. So when the forces received the word from the President to execute the mission they were ready to go. They had them trained.

I admit that Admiral Sheafer and Major Melnyk and I are very biased witnesses, but we think they are doing a great job and we think the young Americans we have in all the services today are certainly the best I have seen in my entire 32 years of service by far.

Senator WARNER. Mr. Chairman, I know that my colleague from Wyoming and I would want to associate ourselves with your opening remarks. The Senator spoke about the troops and their professional performance.

General KELLY. We went down there—and this can be discussed in more detail by others—with several objectives in mind, but the primary objective was the restoration of a democratic form of government in Panama. That was more important than anything else. I think it remains more important than anything else.

We also wanted to get Mr. Noriega and capture him. We are still trying to do that. We wanted to destroy the combat capability of the Panama Defense Forces so that they could not interfere with the restructuring of the country under the duly elected civilian government headed by Mr. Endara, assisted by Mr. Ford and Mr. Calderon.

So that was the mission. Everything he was to do was to contribute to that primary mission the CINC had. So far that seems to be working out.

We had a pretty good day Monday; excuse me, Tuesday. They went in and did a lot. Yesterday was sort of a little bit slower. It is picking up again today. The reason for that is that by the time the troops had completed their work on Tuesday they had been up for three days. They marshal the forces 18 hours before the airplanes take off and when Tuesday evening came they were just flat tired.

They are back out there now; they are doing a lot of things, and I will be prepared to discuss the operation in any detail that you would desire. I would ask Admiral Sheafer now to give us some of the intelligence background that led up to it.

STATEMENT OF REAR ADM. TED SHEAFER, DEFENSE INTELLIGENCE AGENCY

Admiral SHEAFER. Sir, I would just like to give you an update on where we stand right now. As far as the military units remaining in Panama in the west, which some people call the Redoubt that Noriega is going to go to, just before we left here—that is, the two military zones in the far west known as military zone 5 and mili-

tary zone 8; and this is very sensitive because it has not actually happened yet—the military zone 5 headquarters, which are in the far southwest, we had a call this morning from the company commander out there, who advised that he has taken over the headquarters and he is ready to surrender.

A chief executive of United Brands up in the northwest—that is where all the big banana plantations are—received a call from the military zone commander up there and he said he wanted a phone number to call down in Panama City so he, too, could surrender.

Chairman NUNN. These are the Panamanian forces calling in?

Admiral SHEAFER. Yes, sir. So it looks like that may fold a little bit faster than we thought.

East of Panama City, the only major combat unit is the so-called Battalion 2000, and when the 82d Airborne went into the headquarters area they were completely gone. We have seen no communications whatsoever from this Battalion 2000, so we do not think they remain a cohesive military unit.

We have pulled some weapons from their headquarters area, suggesting maybe they did not take everything with them, although that is not clear.

Senator WARNER. Do you suppose the Major might come up and just tap the map as you go along?

General KELLY. I can do that, sir. Battalion 2000 was out here [indicating], in the vicinity of Fort Cimarron.

Chairman NUNN. Is that the unit that put down the last coup?

General KELLY. They joined the last coup a little bit late in the day, after the 7th Company from Rio Hato moved in to Tocumen airport—as you recall, by Noriega's 727, some Cassa 212s and some other aircraft. Battalion 2000, I believe, was watching early which way it was going to go, and they then did participate.

Chairman NUNN. How many people are in that battalion?

Admiral SHEAFER. It is about 400 to 500.

General KELLY. And they have got about 350 weapons out of the force, so we are not sure that is an effective organization any longer.

Admiral SHEAFER. Noriega's counterterrorist force, which is about 110 people, called the UESAT, some of them probably remain active within Panama City. When the extraction operation was conducted at the Marriott Hotel, we had some sniper fire from people that had black hoods on, were dressed in black uniforms, which has been the traditional uniform of the counterterrorist forces.

The Dignity Battalions are creating random violence, as you well know, in both the capital city and Colon. When Noriega reorganized his security after the October 3 coup, he brought up about half of the 7th Company from Rio Hato and elements of that remain active up in the area northeast of Panama City proper.

Last night we continued to see [deleted] activity in the west, but because of what I mentioned of the collapse, apparently, of the 5th and 8th military zone headquarters that should rapidly diminish.

As far as the strength is concerned, out in the west there are about as many as 1,000 personnel—that includes 1,000 soldiers and Dignity Battalion members—but that in no way represents a significant threat at this point in time.

As far as where Noriega is, yesterday we were fairly confident we had him in the Panama City area. As a matter of fact, [deleted].

As General Kelly will explain, numerous operations were conducted yesterday, but it appeared we were about a step behind him most of the time.

Chairman NUNN. You think Noriega is in the Panama City area?

Admiral SHEAFER. In the Panama City suburban area, yes, sir. We are not sure where he is now. He could remain in Panama City, but we have also had numerous reports, probably some of which are bogus, that he has moved out into the west, into Terici Province, which is his home area, which is in the far southwest part of the country.

We have had reports, as I mentioned, yesterday that he is in three different countries, about a dozen different areas around the country, and about ten different locations in Panama City. We continue, because of the reward, to get all kinds of specious reports about where he is. We and SOUTHCOM attempt to evaluate them and proceed on.

As far as the hostage situation is concerned, it is SOUTHCOM's estimate that there are about a total of approximately, 37 people who we know of, being held against their will. The number that we have here is close to theirs, and it is in the low 40s.

We have built case files on every known situation, and along with SOUTHCOM we are attempting to resolve them as quickly as we can.

Chairman NUNN. Could you repeat that? Thirty-seven people held?

Admiral SHEAFER. Against their will. That is SOUTHCOM's number.

Chairman NUNN. Are those Americans?

Admiral SHEAFER. Yes, sir. And the information we have is around 44 to 45. Some of these are reports, a one-time report, that somebody said somebody was being held at an unknown location, and we just have to resolve these as quickly as we can.

Chairman NUNN. These are not in one location? They are scattered around?

Admiral SHEAFER. No, sir. There are about a dozen different reports we have received, and we probably have about eight or nine that we are actively looking into now.

General KELLY. I would like to quote what the command message this morning said on hostages. "Although there have been numerous reports of possible U.S. citizens being held hostage in various locations throughout Panama City and in the countryside, most reports have been negated or resolved. Most reports are from individuals isolated in apartments, hotels or other areas who are fearful of venturing out."

We do not have a complete handle. I am happy to tell you that the Smithsonian people have been picked up and they are safe. We have evacuated the Marriott Hotel. There were 25 Americans, I think, and 135 other people, or total people, who came out. So we have been successful there.

Admiral SHEAFER. General Kelly, when did you get the information that the Smithsonian people had been picked up?

General KELLY. Just before we left.

Chairman NUNN. Have they been released?

General KELLY. They had been abandoned.

Admiral SHEAFER. They were on an island off the north coast. They were taken by the PDF out to a small village called New Segunde, which is literally on the crest of a mountain range in the middle of the country, and dropped there at a schoolhouse. they had radios, and were able to communicate with Panama. Panama communicated to the Smithsonian here. They talked to us and we were able to get SOUTHCOM to send helicopters out.

They went out last night and looked for about 3 hours and could not find them, but picked them up this morning.

The last thing I would like to mention is some reflections on Noriega. This is very tentative information that General Kelly and I just received—I am sure he has got more to add to it—just before we left.

But they are in the process of going through Fort Amador, and Noriega has a headquarters there in what is called Building 8. It is an area [deleted] and it was also an area where he was known to remain overnight. He also had some of this paramours occasionally visit him there.

It is being described as the most opulent place as far as his personal living areas that anyone has ever seen. There are pictures of Adolf Hitler. There is a large collection of pornography. There are remnants of his witchcraft. I will get more into that later.

There are 50 kilos of cocaine. The street value of that, according to the DEA this morning, is about $1.25 million. They also found $83,000 in cash. And the best may yet come because there is a very large safe there which we are only now in the process of trying to get into.

At the Comandancia, which is the PDF headquarters, we retrieved thousands of documents. We are in the process of beginning to exploit them now. And we have a joint DOD-DOJ team that will be going down today, consisting of almost government-wide personnel, from Treasury, the Department of Defense, DIA, State Department, a total of about 25 people going down to help with that.

We have also recovered Noriega's witches' diary. If you are not familiar with that, he regularly has two women and a man who fly up from Brazil and they are literally witches and they provide him with black magic opportunities and other things in the occult area.

Over 10,000 weapons have been confiscated so far. I think General Kelly has an assessment on that he would like to give you. And also it appears, although it is not for sure yet, that we have recovered a fair amount of information about the drug traffic; whether it personally relates to Noriega or not, we do not know.

Senator WARNER. I hope you are making a good film record. It will do more to try to turn around this Central America criticism than anything else.

Admiral SHEAFER. SOUTHCOM is preparing, I believe, to prepare a press tour of Fort Amador that will include all of this.

General KELLY. Sir, if I could, with that as prologue, if you want me to, I will take you from the very beginning, try to structure it and take you up to where we are now and what future operations are planned.

Senator WARNER. Could I ask one question here. You mentioned [deleted] this morning and someone——

Admiral SHEAFER. [Deleted].

Senator WARNER. Do you have any hard evidence that he is still there [deleted].

Admiral SHEAFER. No, Sir. Well, we have specious reports that we cannot confirm.

Senator WARNER. I just asked the question about hard evidence.

Admiral SHEAFER. No, sir.

Senator WARNER. The only thing that you can rely on at the moment is [deleted].

Admiral SHEAFER. That is the only thing right now that is seen credible, yes, sir.

Senator WARNER. [Deleted].

Admiral SHEAFER. No, sir. As General Kelly will explain, he could not have gotten into any of the embassies after 8 o'clock yesterday morning.

General KELLY. Sir, I would like to start with the forces that were in-country and those that we planned to reinforce with. The forces in-country were two infantry battalions, one of which is from the 7th Division at Fort Ord that we had sent down some months ago—as you know, we have reinforced Panama several times—one airborne battalion, organic, one mechanized infantry battalion from the 5th Infantry Division at Fort Polk, the 92d MP Battalion, the 504th MP Battalion, and then a battalion that we continued to rotate in and out of the jungle operations training center.

The battalion that happens to be there right now is the Third Battalion, 504th Infantry, from the 82d Airborne Division. They were preceded by a Marine Corps battalion. So it could have been anybody.

But you had about six battalions' worth of combat power, with ancillary things, assigned in Panama. You also had Air Force and Navy forces in Panama, some SEALS, a total of 13,000 people. But six battalions does not correlate to 13,000 people. About 6,000 of those people, those individuals, were in Panama to manage the program throughout Latin America of military assistance, military training, education, mobile training teams and things of that nature, which is what SOUTHCOM has as a primary mission before Mr. Noriega became famous.

The forces deploying in Just Cause came from the 82d Airborne Division, the division-ready brigades, which, as it turns out, was the first brigade with three airborne battalions; the second brigade, 7th Infantry Division, the division-ready brigade on call that actually went down there; and then all three Ranger battalions. So the entire Ranger regiment went down there and the 16th MP Brigade.

That is what we started with in the plan. We have since reinforced with an additional helicopter company, with 12 OH-6 Blackhawks and 3 OH-58's, because helicopters are becoming very important to the effort down there.

We received the mission from the National Command Authority—that is the President, of course, and the Secretary of Defense—on Sunday afternoon. Very frankly, we sweated bullets between then and early Wednesday morning, afraid that this would break in the press. We had good success in maintaining operational

security. As a citizen, I have got to tell you I think we may have gotten a little help in that regard from the press, just watching what was happening and seeing what was coming out on the air.

We knew it would take 48 hours for us to marshal the aircraft in order for this operation to be successful. It was a very carefully structured operation. A number of things were supposed to happen, which I will explain in a minute. So we wanted to send it all down there at once, which is the way it was planned.

We had a fallback position where we could move down by battalion and would have done that should that necessity have arisen. But when it did not arise we were able to operate and the airplanes we had began to take off sometime around—as a matter of fact, I think the first Ranger C–130 left Fort Benning sometime around 6 p.m. on Tuesday afternoon.

We had positioned all of the aircraft before the fact. We had actually moved about 32 C–141's into Pope Air Force Base down by Fort Bragg on Monday, got them loaded with all the heavy drop equipment and moved them to Charleston to wait there to make the assault. The heavy drop forces go in just before the paratroopers go in.

We then moved 20 C–141's into Pope, briefed the pilots and put them into crew rest, and they were the ones to carry the assault force down of the 82d Airborne Division.

Concurrently, at Fort Benning and Fort Hunter Stewart we marshaled the airplanes for the Ranger regiment down there and on the west coast. As the follow-on force we were planning to move aircraft to locations of the 7th Infantry Division so they could go down so that by Monday evening the airplanes were in the air.

We think we had pretty good opsec, [deleted].

Senator WARNER. All this was under the FAA and therefore that was out in the open. There was nothing you could do about it.

General KELLY. A couple things, sir. As you might know, about 132 total sorties were involved—no, 163 total sorties involved in this, some of which went down on Monday and some of which went down on Tuesday. We filed flight plans on all of them, and that was not inconsistent with what we had done previously when we had a problem in Panama and we reinforced.

We flew down and dropped people off. I think that helped us. I think the PDF saw that and said, well, it is just one more American reinforcement. But when the airborne assault forces took off, we had the FAA working with us. What they do is actually clear the air space and we do not file a flight plan.

Admiral SHEAFER. I agree with General Kelly in this assessment I would just like to add one thing. I do not think Noriega has any idea of the size of the operation.

General KELLY. Our plan was to have four task forces—Task Force Atlantic, which is built around the brigade headquarters of the 7th Infantry Division that was already in Panama. We put them down there, I believe, around April. One organic battalion of the 193d—excuse me, of the 7th Division of the JOTC Battalion, so they had about two battalions up in Task Force Atlantic.

And they had the requirement of clear from central Panama up on the Canal area and then up in Colon. There were two enemy forces there. The 8th MP company, south of Colon, didn't fight very

much. They gave up. And the naval infantry up by Colon surprised us. They fought a lot harder than we thought they would and it took us a while to take them out.

Chairman NUNN. Is that because they were Navy that it surprised them, General?

General KELLY. No, sir. They are all Panamanians. One surprise we got in the entire operation was that elements of the PDF fought a lot harder than we thought they would and were more difficult to put down than we thought they would be.

One of those battalions took care of the area to the north, and the other battalion actually moved down into the Canal Zone area, one to Gamboa, where there was a housing area and a prison. We opened the prison. Some Noriega enemies were in there, and there were about 70 happy folks.

Down here at Cerro Tigre, an electrical power distribution facility, and then up at Madden Dam, put a company in there. Madden Dam was the most critical facility. If that dam was destroyed, it would empty the lake. Once we rebuilt that dam, we were told it would take up to 2 years for that dam to fill up.

As you know, the Canal is run on gravity. They just feed water down into the three sets of locks that they have in the Canal.

Task Force Atlantic had that job, executed it. One of the most significant parts of the entire operation is that the Canal was not threatened at any time. We thought that Noriega—well, [deleted] but they just did not pan out, and the Canal opened as of yesterday morning.

We had Task Force Semper Fi on the west side of the Canal. They had the equivalent of about three Marine infantry companies and a company of light armored vehicles, and both sides of the Bridge of the Americas was secured. There was not a great deal of PDF force in the area west of the Canal, and they were able to subdue that area fairly quickly and fairly easily.

I would like now to cover the Ranger operations. At H-hour the Rangers jumped into two places—one at Rio Hato, where the 6th and 7th infantry companies were. As you will recall, the 7th Company is the one that reinforced on October 3 and was really the sparkplug of the anti-coup effort, pulling the Battalion 2000 in and the 6th Company, which remained loyal but stayed out at Rio Hato on the orders of Noriega.

We expected some tough fighting there initially, and we got it. However, the folks we sent in there were five companies of Rangers, and you have got to have some real chops to stand up to that, and they did not. So the fight did not last very long. They took about 350 prisoners and a very large weapons cache. It turned out, I believe, to be a couple thousand weapons.

As Ted mentioned—and I would like to add parenthetically—we have already taken 10,000 weapons. I talked to General Harzog, J-3 down there, just before I left my office. They expect that to grow to 20,000 weapons. These are not old French muskets. These are brand new, many of them brand new AK-47's, 81 millimeter mortars, RPG-18's, I believe.

And the surmise is at least at this time that he was planning to arm the populace, and had he gotten that done—"he", Noriega, gotten that done—if we had done this operation later we would

have been in deep trouble. So maybe we have a situation where we got down there just in time.

Senator WARNER. To what extent can you establish that those weapons were manufactured in the Soviet Union or other Communist countries and shipped to Panama?

General KELLY. That is being worked right now by the intelligence analysts. They are literally overwhelmed with the documentation, the weapons caches, the pictures and all the other things they are finding. They are sifting their way through it, but I assure you that is being done. We will find out where they originated from and probably where they went through en route to Panama.

That stuff cost a lot of money.

Chairman NUNN. General, who was going to be armed? My impression is about 80 percent of the Panamanian people are against Noriega. Would he not be very fearful of putting arms out there? It seems to me like that would be the last thing he would want to do.

Admiral SHEAFER. He has been trying to increase the Dignity Battalions.

General KELLY. That may be why it was not going faster, but he had been trying to create Dignity Battalions as quickly as he could and wound up with about 20 of them, I believe. And they are causing us big problems right now. We have got to get in there and root them out, because what he has done is truly armed rabble, and they are in the streets with their weapons, robbing.

Senator WALLOP. Is there a command structure to a Dignity Battalion?

Admiral SHEAFER. It is very fluid. They vary in size from as few as 25 people to as many as 250 or so.

Senator WARNER. Are they little private armies, each of them owing themselves to one individual?

Admiral SHEAFER. They are basically thugs that are unemployed that he has brought together as loyalists to help him.

Chairman NUNN. Did we make any effort to contact any friendly Panamanian Defense Forces? After all these years, don't we have friends?

General KELLY. We have some friends, but most of them had been moved out of their jobs. Many of them were in jail. Just the Thursday before, Noriega had made a number of significant moves in the command structure of the PDF which actually was an advantage and disadvantage for him. His purpose was to keep people loose in the saddle so as to not let anybody have one job for too long and keep moving them around.

When he did that, of course, the leadership content of the units was decremented significantly. He had pieces of everything in the Comandancia, for example. He had elements of the First Public Order Company, the Centurions. The 2d Public Order Company, as you know was disbanded. The 2d Public Order Company did not play much of a role.

The 6th Infantry Company, the 7th Infantry Company, we know there were elements of Battalion 2000 in there. So you really had a mixed bag, and trying to fight a coordinated defense with that would have been very difficult.

As it turned out, they did not hang in there too long.

But, getting back to the situation, the Rangers hit Rio Hato, took about 350 prisoners. The rest got away—that could be anywhere from 100 to 300—and fled before us back into the woods.

I think there was a question about all these people who were running back into the woods, what they were going to do. Were they going out there and planning to continue the guerrilla war? We do not think so. We do not think they are trying to do that. They have been living pretty high on the hog, especially their boss. My personal guess is they have gone into the woods and are watching to see what happens and decide which way to come down.

Senator WARNER. Do they have POMCUS sites in those woods, with stuff stashed away?

Generally KELLY. Sir, they could well have. We have already found three or four of the big ones, and we are up to 10,000 and expect to go much higher. We do not know anything about what is out in the western military regions.

Senator WARNER. Food, communications, armaments and so forth to sustain life out there?

General KELLY. There could well be.

Chairman NUNN. General Kelly, in the National Intelligence Daily let me read a paragraph. This is today's NID.

It says: Comment: [Deleted.]

It seems to me a direct difference of opinion here.

General KELLY. I would tell you that all of that could possibly be true.

Chairman NUNN. But you just said you did not think they were ready for any kind of jungle warfare.

General KELLY. I do not think that the PDF will go into the jungle and live the way a Che Guevara disciple would and continue to fight for a long time.

Mr. KERR. Senator, I think that is true. [Deleted.]

You may find opposition. I think General Kelly in effect said that. You may find groups that are going to hang in there for a while, and they have been reasonably tough so far.

Senator WALLOP. Are they dependent on the survival of Noriega for some kind of focal structure?

Mr. KERR. My own instinct is that——

Senator WALLOP. Does he have anybody around as a sort of heir apparent?

Mr. KERR. No, sir. I do not think he has a heir apparent. I think he has people that surround him, but I think without him—a lot of those people have no future without him and they are going to be looking for a way to get away and exit, because they know they are in trouble.

Mr. ROWEN. There is no alternative leadership and no ideology. Guerrilla movements, to sustain themselves, have to have that.

Senator WARNER. Have to have a cause?

Mr. ROWEN. A cause. And what is that cause?

Admiral SHEAFER. They also have to have the support of the population.

Mr. KERR. The only cause they have right now is if they get caught they are in trouble.

Senator GORE. They have anti-Americanism.

Senator WALLOP. There is not so much of that down in Panama.

General KELLY. The Panamanian people probably have some. You see people on TV saying that I am ashamed this had to happen in Panama, but it had to happen.

Chairman NUNN. They had better put a stop to the looting down there If we do not stop the looting we are going to alienate the whole business community, as well as everyone else, and it will be a plague on both your houses. From what I am hearing, it is just absolute chaos.

General KELLY. I will cover what we are doing.

Chairman NUNN. I guess you will get to that, but my question is what are our MPs doing down there.

General KELLY. They are in the city right now, sweeping it. We have the 193d Brigade, with three battalions of MPs attached, sweeping from south to north. We have the 82d Airborne Division sweeping from north to south. It is probably going to take a number of days to clean up that city, from 5 to 10, possibly.

That is how long it took to clean up Detroit, when we had a functioning police force and a functioning government, when we had to go in there. They may do it sooner. I do not think it will be longer than that.

Chairman NUNN. The news reports say that they have looted almost every store in Panama, are they true?

General KELLY. In the central part of the city that is probably true because there was no law and order. The police have left.

Incidentially, the Government of Panama, Mr. Endara, is calling the police back to work as of 7 o'clock this morning.

Chairman NUNN. Is the police force separate from the PDF? I thought they were all together.

General KELLY. They were all in the old PDF, but they represent the only thing in the country, the only force in the country that can maintain any kind of law and order. Most of the cops are probably not all that different from cops other places. They work for the guy that pays them.

Chairman NUNN. But is Endara able to distinguish between the good PDF and the bad PDF?

General KELLY. Initially he will not, but they will screen everybody who comes back. Our initial strategy—and I think this contributes to what you are talking about—was to take down all of the PDF combat forces in the vicinity of Panama City, and we have done that. There is not one left that is operational.

The police were probably corrupt, but I do not think they were all that involved.

Admiral SHEAFER. I agree. I think also the plans are to put one United States MP and one Panamanian policeman together.

General KELLY. To help us restore law and order.

Senator WARNER. The Chairman has put his finger on what I think is a very disconcerting fact, that the looting has occurred. It is contradictory of the population rising up to support Endara. At some point in this briefing I wonder if we could analyze what steps in our planning scenario were taken to presumably curtail it.

General KELLY. I will address that right now. Our original strategy was to attack the PDF main forces. We did that. We planned to get into Panama City just as quickly after that as we could. We had an MP brigade headquarters and two MP companies on the

force list that went down there, with the equivalent of a brigade of MP's in Panama.

But recall earlier I said the resistance from the PDF was stiffer than we thought it would be. It took us a little bit longer to get into the city. The operation is not yet 72 hours old. It just started at 1 a.m. on Wednesday morning. We hope to have some good results in the city today.

As a matter of fact, we have already had some good results there, in that we have taken a number of buildings. You know about the Legislative Assembly Building. That is where Mr. Endara is operating from now. We have taken the Foreign Ministry, the Finance Ministry, the Health and Services Building, the Presidential Palace, and the Central Bank.

Restoring law and order in Panama City is the commander's top priority down there. It is a difficult and very debilitating mission because for every block you move forward it costs you soldiers. You have got to outpost it. If you want to put a platoon around the Marriott Hotel to protect it, that costs you a company because you have got 12 on and 12 off.

We have three embassies down there with an MP company at each embassy—the Cuban, Nicaraguan and Libyan Embassies. We have a lot of facilities in Panama City that we are securing right now. Senator Nunn, we are no happier than you are about that looting and we want to get out there and get it. It is disgraceful.

The only thing to point out there is that the poor people of Panama have really carried the burden for Noreiga over these past 2 years. He did not care about them. They are literally starving. We have a refugee center set up at Balboa High School and that varies between 6,000 to 8,000 people at any given time. And that is every type of nut you have in that city—PDF turning their weapons in, people who say they are not PDF with short haircuts, people who came out of the Modello prison, poor people who are just flat starving to death that are coming in to get a meal.

And that is why the numbers go up and down. They go up at mealtime and down between mealtimes. And we have the military structure. And in a country where the functions of government have totally broken down because they were made very sick by the fugitive Noriega, non-existent, we are trying to restore them and we are trying to support Mr. Endara and his vice presidents in their efforts to do that.

I think we see some pretty good progress today. I think that we are past the knee of the curve. I pointed out initially that as of Tuesday night-Wednesday morning the troops were awful, awful tired, and so we did not get much done that night. But as of yesterday the 82d has swept into the city and I think we will see much of this rabble falling away.

There are a lot of Dignity Battalion folks in Panama City shooting the place up, and also, as Admiral Sheafer mentioned, some UESAT forces that are up on the rooftops. They represent harassment more than anything else, but it is a constant harassment and they are shooting real bullets. So it makes you tend to be a little bit more careful.

Chairman NUNN. General, if people are actually starving down there and desperate and hungry, can we set up some food relief?

General KELLY. Sir, we are working on it right now. Our J–4 is working on that and we are getting humanitarian assistance.

Mr. ROWEN. We have a big effort underway to do that in humanitarian assistance.

Chairman NUNN. Do you have that underway?

Mr. ROWEN. You bet.

Chairman NUNN. By that you mean it is being flown down there, or by that you mean we are planning it?

Mr. ROWEN. I do not know how much is being moved, but they are feeding people. They are providing medical support and we have more supplies coming in.

Chairman NUNN. Who is in charge of that operation? Is the Pentagon in charge, the State Department, who?

Mr. ROWEN. We are doing it.

General KELLY. We are doing it. I think it is probably coordinated through the interagency——

Chairman NUNN. Where is the food coming from?

General KELLY. I do not know. I will have to find out. But it is happening, sir. It is being flown down there and I believe we will have sorties today.

Chairman NUNN. It seems to me that is a top priority. If you have people starving to death, having MPs shooting them when they are trying to get food is not going to be good either. You are going to have to coordinate the law enforcement and humanitarian aid.

General KELLY. We have foodstuffs in-country right now, and we are feeding, as I said, up to 8,000 people in Panama City right now.

Chairman NUNN. Up to 8,000?

General KELLY. People at the Balboa High School refugee collection point. We are feeding them there. We will continue to do that; and CINCSOUTH is not going to let anybody continue to starve. I will get you the details on how we are doing it.

Chairman NUNN. Could you get that to us today and who is in charge? Bernie, do you know?

STATEMENT OF BERNARD ARONSON, ASSISTANT SECRETARY OF STATE FOR INTER-AMERICAN AFFAIRS

Mr. ARONSON. There is an economic reconstruction task force that was put together, Mr. Chairman. It includes State, Commerce, Treasury. It is working on both the humanitarian aspect in conjuction with DOD ans also the lifting of the sanctions, the transfer of the escrow accounts to the government, restoration of CBI, long-term economic reconstruction, as well as humanitarian.

Chairman NUNN. Who is in charge?

Mr. ARONSON. That task force has co-chairs from both Treasury and State, but I think DOD is also working on a parallel track in terms of the immediate humanitarian needs.

Senator WARNER. Secretary Aronson, one of the fundamentals that would predicate our ability to pull out of there at the earliest possible time is the Panamanian people supporting the Endara government. Is there a conflict, a perceived conflict, between this looting, presumably amongst elements of all segments of society, PDF,

military and civilian, and the ability of these people to come up and support that government?

Mr. ARONSON. Well, Senator, I think until the streets are secure you will not see a popular reaction. I think once the streets are secure you will have a good test of where the Panamanian people are. I think the looting is obviously deeply regrettable and the pictures are pretty appalling, but I would not overplay the significance of that.

I think in any urban area when law and order breaks down completely, as we saw in the capital city of our own country in 1968, and Detroit and Watts, there is always going to be an element—I would not say they are always poor people; I think they are a criminal element; most poor people are law-abiding—that will take advantage of that. They are not all trying to get food. Some of them are trying to get television sets and Mercedes Benzes.

Senator WARNER. In other words, this is not a reflection endemic of what we hope will take place shortly, when some law and order begins to take effect?

Mr. ARONSON. I do not think it is, but I think it does point to the fundamental political challenge that the Endara government faces, which is to reassert its authority and control. And I think that they are in the process of trying to do that. That is going to be a challenge that is going to take time, but I think if they can rebuild elements of the PDF relatively quickly, they will be able to reassert control.

Chairman NUNN. How confident are we going to be in giving PDF members back their guns when somebody says okay, this is a good one?

General KELLY. What we will be giving back are police officer pistols and sidearms. I think we are pretty confident because we are going to put them out there with our MPs, and because we have lots of guns and I think they react to the guy with the biggest gun.

Chairman NUNN. So it is going to be a one-and-one team?

General KELLY. That is right.

Chairman NUNN. Does Endara agree with that?

General KELLY. I believe he does, yes, sir.

Mr. ARONSON. Mr. Chairman, could I also comment on that? I think it is worth noting a few facts about the PDF. First of all, as has been mentioned, a majority of these forces are not combat forces; they are internal police—people who are, by and large, apolitical.

Second, this is a force, significant elements of which have twice in the last year and a half rebelled to throw out Noriega. There was a coup in May of 1988, there was a coup on October 3. Significant elements failed to come to Noriega's rescue on October 3. So there are clearly strong elements there that were willing to risk their life knowing that the coup-plotters who failed the last time were arrested and tortured and were willing to take those kinds of risks to throw Noriega out.

The third point I would make is that during the May elections Noriega voted the PDF early and often in a number of precincts, and in many of those precincts Endara won by a large number. I do not want to be Pollyanna-ish about it, but I think that PDF re-

flects the population and large elements of it are either apolitical or anti-Noriega.

And if we can sort them out and do that in a relatively rapid way, I think it can be rebuilt over time.

Chairman NUNN. Do we have at least one good guy in the PDF we can identify? Have we got anybody who has escaped to Miami?

Mr. ARONSON. Yes. A group of ex-PDF officers flew back to Panama last night and have met with Endara and they have already, I think, been on television rallying troops. Some other officers have come in, have met with the government and begun to negotiate about returning to their units. And I think that process is under way.

All three of the elected officials of that government have been talking with the PDF officers.

Senator WARNER. Does the United States forces or the Endara government control the communications now, namely the television?

General KELLY. Yes. We do. They should finish up the television today.

Senator WARNER. What do you mean, finish up?

General KELLY. Finish up taking over the television stations that are available and securing them. We got the radio yesterday. We have the telephone communications. Actually we are furnishing the Endara government with long-line out-of-country communications through a microwave shot from the legislative assembly building back, I believe, to Howard Air Force Base. I am not sure of that.

But we are taking over communications facilities in the country. One of the endeavors of the command is to get a newspaper published over the next couple of days. There is no newspaper out right now. We are coming up with a coordinated public affairs plan to use in the press pool that is down there, to take them up to Fort Amador where we found these bizarre things in Noriega's pleasure dome, and show them that, show them some of the other buildings, show them the incredibly large weapons caches so that they can assist in telling the story.

And I think all that is happening. As I say, I think we are going to start picking up speed now.

Mr. KERR. Senator Nunn, one other point to make that expands on what Bernie said. [Deleted.]

So there is a core of people there.

General KELLY. And that is working at several levels. The former G–3 has come back and he is a respected PDF officer, a lieutenant colonel, and he is personally lobbying other PDF officers to come back in.

There are indications that the PDF forces out in the vicinity of David in the west, which the Admiral referred to, are thinking about surrendering. So I think not all of the people in the PDF, in my personal opinion, were bad guys, because that's a situation that they were in. And if you took that off and gave them some decent leadership, like most troops they would probably respond to that.

Right now our main concern is in reestablishing a police force to restore law and order, reestablishment of combat units is a future requirement that we do not have to get too quickly.

Senator WARNER. As you may know, President Endara was on Nightline last night, and this morning I appeared on television, in which he came in on a voice-over. He said that he is using 30 days as a target date within which to reconstitute his security infrastructure. Do you feel that that is ballpark and it is achievable?

General KELLY. Yes, I do. I think within 10 days we will pretty much have pulled in on Panama City. Things change. I was asked the day before yesterday how long I thought it would take, and I said 3 days. But they fought harder than we thought and the going was rougher.

So now I agree. Five to 10 days is what they are saying, based on whether or not we can get additional resources down there.

Sir, if you want me to, I will continue.

Chairman NUNN. Certainly.

Senator WARNER. Mr. Chairman, then could we get an update briefing from Secretary Aronson and Mr. Rowen at some point?

Chairman NUNN. Right.

General KELLY. I talked about Rio Hato. At the same time, the Rangers also went into Tocumen air field at H-hour, 1 o'clock, and secured it with airborne scheduled to come in at 0150 and 0155, the 82d Airborne Division. That is precisely what happened, and it happened on time.

The airborne got on the ground and began to organize, and their mission was to move out to the east to get Battalion 2000 that we already talked about and move to the west to go to Panama Viejo, Old Panama, where the capital was located, and reduce it. They did. And then to go over to Tinajitas, where the first infantry company was located and reduce it, which they did.

An interesting story came out yesterday, that all day long yesterday the airborne in the vicinity of Tinajitas was receiving sniper fire somewhere around Terracic, and so later in the afternoon they put a loudspeaker announcement to stop all that or something would happen, at which point 2000 Panamanians began to wave white flags and gave themselves up.

If you are interested in a story about a young Ranger, he landed on the side of a road with his chute extended across the road. A PDF truck came down the road about 30 miles an hour and sucked up his chute, so the Ranger is going for a ride on his back down the road for about 30 meters, when another Ranger group blew the truck up, probably with a light anti-tank weapon, and the kid on the back of the truck was not hurt. His grandchildren will remember that for a number of years, I am certain.

The area we were quite concerned about, of course, was the area that Task Force Bayonet was in. That had several facilities—the Commandancia, in which we had a deep interest in, Fort Amador where the 5th Company was, where Noriega had headquarters, and some other facilities. And the fighting at all those places was pretty significant.

We sent the mechanized infantry battalion to the Commandancia to reduce it. They did. Initially a lot of the people in the Comandancia fled, but some stayed and there were snipers and harassing fire in there until sometime yesterday, when they finally went into it. They found another cache of weapons, about 2,000, and a very,

very large cache of documents that were in the building that still have to be gone through it. But it was reduced.

At Fort Amador, interestingly, the 5th PDF Company that did not play in the coup and called Noriega 20 minutes after the coup was over and said they were loaded up and ready to go, one of the great lines of the coup, fought very hard. I am not certain, you know—maybe I am too clever for my own good—that they did not stay there on October 3 to protect this treasure trove that Noriega had in the building at Fort Amador.

But, as was pointed out, 50 kilos of coke, $80,000—some in 3 buildings—the Commandancia, Building 8 at Fort Amador, and an engineering building north of the city—found about $266,000 in cash yesterday. And it sounds like they just did not make their daily deposit from the business that was obviously being run out of those buildings—cocaine business.

Chairman NUNN. General, $1.5 million worth of cocaine, that indicates there is something going on for sure, but that is not a heck of a lot overall.

General KELLY. You are exactly right, sir. Fifty kilos of cocaine is not mind-boggling, but that sounds like a petty cash operation.

Chairman NUNN. That may be for their internal use, right? but as far as I know, we do not have a lot of evidence. We have evidence about the money laundering, but we do not have a whole lot of evidence that Panama is like Colombia in the sense of manufacturing and being a major distribution point for cocaine that I have heard anything about.

Mr. ROWEN. You have hit on the main point. It is very important in the financial aspects.

Mr. KERR. It is a transit point.

Chairman NUNN. Financially, right, but not necessarily the physical cocaine, right?

Mr. KERR. It is not a processing point, but it is a point for money and transshipment.

Mr. ARONSON. That one ship that was captured about 5 months ago, which was one of the largest loads we got, was on a Panamanian vessel. But by and large, Senator, you are correct.

General KELLY. Also, we thought we saw indications before this came up of an [deleted]. See one of the bonuses we are picking up out of this, I think, is that the Colombian drug lords are sitting back in Medellin saying well, heck, another place gone.

There were indications they were looking very closely at some penetration. At the same time, we are getting tougher in Colombia because of the very courageous actions of the government there. I believe the drug lords were looking for somewhere else, and one somewhere else place does not exist.

But starting yesterday we began to move into Panama City from the north and from the south. This is going to be a tough mission. Combat in cities is about the toughest mission that we have anyway. It is going to take a little while to get it cleared out, but it will be cleared out. It is a top priority.

That is where we stood last night. The CINC came in with his plan last night and he intends to do several things today and tomorrow. In addition to working in Panama City, he wants to get out to the vicinity of Santiago, which is a town about 60 to 70 miles

west of Panama City. He also wants to get into two prisons out there.

I have a larger-scale map here where I can show you that. This is Santiago. This is David. It shows you it is about halfway toward David from Panama City. So we have a vertical line drawn there to get into Santiago. That is going to give some support to the Endara government because if we can get it clear—and we think we can—and we think that the military commander in this region will turn because he gave indications of that—then we will see Mr. Endara out visiting other places other than just Panama City.

There are two prisons here, one at Penonome and one at Chitre, that have a number of people in them who were formerly in opposition to Noriega. So they have now become good guys and they should provide some assistance, which I am sure Mr. Aronson can cover, in helping him to reform his government. So that is the major operation for today.

I can assure you that the troops down there are working very hard. Their morale is high. You have seen them on TV. We are just thrilled with them. We had hoped that the operation would have gone faster, especially in Panama City. We had hoped that the PDF would not have fought as hard as they did in certain localized battles.

Our casualty figures run some 20 dead, 202 wounded, and two missing—one in a helicopter that went down in the Canal and one paratrooper who was lost on the jump coming in. One is too many, but considering what the losses could have been we are somewhat fortunate.

A number of PDF have been killed and wounded. And our prisoners—I believe I have got it written down here—approximately 1,400 detainees, and that is what we are calling them, and about 9,500 weapons captured so far. We expect that to double.

As far as civilian casualties are concerned—incidentally, the PDF casualties will go up because you never know as much about your enemy as you do about yourself. Civilian casualties we do not have a good handle on yet. We have listed two civilians killed—both of them are Americans that we know about: the schoolteacher, the lady who was killed the first night, and a young man whose car blew up—175 wounded in action, and 5,000 to 8,000 refugees.

As I say, that number varies.

Chairman NUNN. The two civilians killed were both Americans?

General KELLY. Yes. One American schoolteacher was killed on Wednesday morning early.

Chairman NUNN. How did that happen?

General KELLY. She was killed by PDF fire as she was driving along in a car and there was shooting and she was hit.

Senator WALLOP. What about the Panamanians?

General KELLY. We do not have a good handle on that. We have seen them on TV, the Panamanian civilians who are dead, but our forces have not uncovered those locations yet, and we have not gotten good data.

Chairman NUNN. There was a report we were doing some bombing this morning.

General KELLY. I heard that on the radio. I went to work and checked on it, and I was unable to verify it, although we have air missions up all the time.

Admiral SHEAFER. General Kelly, I was able to get that, and we did no bombing missions. The only thing that has been done are AC–130s. The reports of us going in with aircraft and dropping bombs is false.

General KELLY. A reporter has seen that, assumed, it was bombing. The AC–130 has three major systems—a 105-millimeter gun, which looks like a bomb but is very surgically accurate; one 40-millimeter cannon; and then a 20-millimeter gattling gun. But the reason that we use that system is it is an exceptionally accurate system and minimizes collateral damage.

That is all I have, sir.

Chairman NUNN. Let me ask Mr. Rowen, Mr. Kerr and Bernie to add anything here you think we need to know.

Mr. ROWEN. I think beyond this description of the operations——

Senator WARNER. I cannot hear you clearly enough. There are no mikes. That is simply recording.

Mr. ROWEN. The longer term should be addressed, and I think Mr. Aronson can clearly address that, because once the military situation is cleared up and is in order the key question is strengthening—what we can do to help strenghten the Endara government: short-term humanitarian assistance, help with reconstructing the PDF; in the longer term restoring the economic health of Panama, which is in very bad shape.

Mr. Aronson has mentioned that work is already under way on that. Getting our forces reduced as quickly as possible, we will continue to keep forces there until the Treaty requires that they leave, and that is ten years from now, so we will continue to have forces but to reduce our forces as quickly as possible, as soon as the situation permits, and let the country go back to normal and be rebuilt.

But Mr. Aronson could say something on that score.

Chairman NUNN. Could I ask a question? I have felt for some time we need to get our dependents out of Panama. I understand we have started drawing down dependents. Where are we in that process?

Mr. ROWEN. That has been going on for some time. I think General Kelly can give you a status report on that situation.

Chairman NUNN. General, how many dependents do we have there now?

General KELLY. Sir?

Chairman NUNN. How many dependents do we have in Panama now?

General KELLY. We were in the vicinity of 10,000 when we came up with the new command tour policy. They had been implementing that for a while, but I do not have an exact number. I would have to get that.

Chairman NUNN. When are we planning on reducing that down to a very low number?

General KELLY. Down to 500 families, 500 designated families,

Chairman NUNN, About when?

Mr. ROWEN. That was going on quite rapidly. By June I think we were planning on getting to that level.

Senator WARNER. I wonder if this is contradictory here. Certainly before this event it seemed to be a sound policy, but if we are going to reconstitute the government and Endara and bring about peace and tranquillity, we do not want to be fleeing the area.

Mr. ROWEN. That will have to be reconsidered if the situation is restored to normal, absolutely. We do not need to do that.

Senator WARNER. If there is some semblance of order and stability, it seems to me it reflects mutual support for Endara not only from the Panamanian people but from our people, that things are coming back together again.

Chairman NUNN. I think it depends on how many PDF folks are running around with guns. I would hate to see a whole lot of American targets down there. I myself think one of the biggest problems—Senator Warner and I may disagree on this—the Endara government is going to face is legitimacy. Legitimacy, I believe, is going to depend on reduced American presence, reduced American visibility.

I would have to differ with that. I think it is important to draw down those dependents. I am not talking about taking the military out or anything of that nature, but to get down the visbility. I am not an expert on the feelings of the Panamanian people, but even those who hated Noriega are going to get awfully tired of Americans being everywhere down there.

Mr. ROWEN. There are a large number of Americans there who are not involved with our forces. There is really a very substantial American population that is in that area because of the Canal operation. There are other Americans living there. It is pretty big.

Chairman NUNN. We will have to see how it works.

Mr. ROWEN. It is about 10,000 non-Defense Department Americans there, so there is very likely going to be a very large American presence for years to come.

Senator WARNER. What are the actual counts? I have heard so many varying counts. Let us establish the baseline of, say, 3 weeks ago; what was it?

Mr. ARONSON. American citizens, Senator?

Senator WARNER. Yes.

Mr. ARONSON. 35,000, approximately.

Senator WARNER. 35,000 citizens independent of our military?

Mr. ARONSON. No. That is total American citizens—military dependents, embassy personnel dependents, citizens in private activities.

Senator WARNER. And the 10,000 that Secretary Rowen gave is inclusive of the 35,000 of non-defense-associated Americans?

Mr. ARONSON. Yes.

Senator WALLOP. There is a big American Chamber of Commerce down there.

Mr. ARONSON. Yes, sir, and there are many Americans who are married to Panamanians. You know, we have had a long historical relationship with this country, and their currency is the dollar. So we have been involved there for a long time.

General KELLY. Sir, Americans are everywhere. One Friday afternoon a year and a half ago or so we had a dust-up in Tegucigalpa. The Embassy was under threat, the USIA building across the street, and the first thing we were directed to do was find out

how many American citizens we have in Tegucigalpa, Honduras, and it turned out be 14,500.

It is just astonishing, the number. And the vast majority of them are not officially connected with the U.S. Government.

Chairman NUNN. Let me ask what the CIA's view is on this. Are we going to have the possibility of a wave of anti-Americanism? I am not talking about by the Panamanian Defense Forces and Noriega thugs, I am talking about the average citizens out there. What is the view of CIA and State Department?

Mr. KERR. [Deleted.]

Chairman NUNN. My question really is about turning toward anti-Americanism and the dangers of that. That is two different things. They may be interlinked. Legitimacy of the Endara government is what you are talking about, and I think that is enormously important, but also the question of how visible, how quickly should we get our visibility down.

Mr. Aronson, do you have a view on that?

Mr. ARONSON. Senator, I think we start out with a pretty reasonable base. You know, during the last 18 months it was often argued that the economic sanctions would boomerang and it would strengthen Noriega. The population would blame the United States for the declining economic conditions. But by and large they did not do that. They blamed Noriega, and in fact the election was a good test of that.

His main campaign theme was he was standing up to the gringos, and he was fairly thoroughly repudiated. On the other hand, I think some of that will depend on how many civilian casualties there were. Clearly if a lot of Panamanians were caught in this, they all have family members and there will be a price to pay.

But I think the long-term answer will depend on how quickly the government can reconstitute itself and get the economy going again. I think we will need to help them on that. The economy has been in deep trouble. I think it declined about 20 percent in the last 2 years. If we can stabilize the situation, the government can constitute itself and the economy can begin to regenerate jobs and growth, then I think the chances of strong anti-Americanism are fairly limited.

But there is always a price to pay when you do something like this.

Senator WARNER. Mr. Secretary, part of the burden of reconstituting the economy, it seems to me, falls on other Central American and Latin American countries. Do you think they will just hang out for spite on the theory that this is the most blatant case of intervention in recent history, or will they put that to one side and help Endara? Because if they will join and help Endara, it will bring about a cessation of this problem far more quickly than if they just stand offshore and snipe at us.

Mr. ARONSON. I think that is true, Senator.

Senator WARNER. It may be too early to make that judgment.

Mr. ARONSON. I think the Latins will watch and see whether or not the government commands some legitimacy and begins to look like an independent entity and not our proxy. I think they would like to support this government. Endara and Arias Calderon and Billy Ford have a lot of ties to political parties in the hemisphere,

particularly Christian Democrats. Endara does not, but Arias Calderon does. And I think they recognize they were properly elected.

Noriega had no friends in the hemisphere except for the Cubans and the Sandinistas. So I think when it becomes politically acceptable for the Latins to provide support, they will begin to do so.

I think it will also be important for us to convince the EC and the Japanese to provide some economic assistance as well.

Mr. KERR. [Deleted.]

So I think you really cannot count on that.

Mr. ARONSON. I would second that.

I would like to add one other point, just a note of realism about how quickly Endara can constitute a government. You know, in our own country we elect a president in November. He has two and a half months to form a government. Even then, he is inaugurated and many senior positions are unfilled. I was confirmed in June.

Senator WARNER. No pun intended.

Mr. ARONSON. So we should not raise expectations about their ability to move quickly that are beyond the reality of the situation. They took office with no advance warning in extraordinary circumstances. The test will be whether they are making steady progress every day. Are they moving forward in a serious way? And is our role diminishing over time?

I think if those two trends are in the right direction this thing can work out. But I agree with everyone's observation that this is the central political challenge.

Senator WARNER. The thought that the Latins might constitute within their own forces some special police force to come in and temporarily assist him, is that pie in the sky?

Mr. ARONSON. I think it is doubtful they will want to do that at this time, after we have acted. It is not beyond the realm of possibility, but I think it is doubtful.

Senator WALLOP. That was pretty doubtful before, was it not?

Mr. ARONSON. Yes.

Senator WALLOP. That seems to me, more than anything, an excuse for their behavior.

Mr. KERR. It also runs counter to most of the fundamental precepts they have about intervention and involvement in others affairs, so I think they would see it as they will want us to do it.

Senator WARNER. It would not be intervention if they would do it; is that it?

Mr. ROWEN. One benchmark to look for—and I suppose in a way I should not say encourage, but it would help, actually—is when the Endara government attacks the United States Government on some issue. When they criticize us on some issue, that is a way of getting some legitimacy in Latin America and perhaps at home, and we should anticipate this sooner or later.

Senator WARNER. Let us hope that we can bury our dead and care for our wounded before that happens.

Chairman NUNN. On that point, did they invite us in, Mr. Aronson, or did we suggest that we were going to come in and then they said okay? How did that work?

Mr. ARONSON. Senator, the President made his decision based on his judgment that the security situation was deteriorating and a lot of Americans were at risk. Our charge met with the three candi-

dates and informed them of the President's decision. He did not ask them to invite us in and they did not invite us in. But they did indicate that they understood the President's decision and they welcomed it—with a heavy heart, but they welcomed it.

But we do not claim that we took this action because they invited us in.

Senator WALLOP. Can we have a little more specific characterization of the deteriorating situation? I mean, I have heard all kinds of things. Perhaps it was talked about before I came in.

Mr. ARONSON. I will start, and maybe others might want to join in.

On Friday last week, Noriega convened this rump assembly of his. It declared that Panama was in a state of war with the United States. Noriega gave a very inflammatory speech in which he said they would sit on the banks of the Canal and watch the bodies of our enemies float by.

We initially reacted in a way to diffuse that rhetoric. We were not looking to escalate the atmosphere. Noriega had made such statements in the past, and we were trying to downplay the significance of it.

Unfortunately, the next day we had a number of incidents. As you know, a group of U.S. servicemen in civilian dress were stopped at a roadblock by about 5 PDF officers, and approximately 35 or 40 Dignity Battalion members there tried to force them out of the car, reach in and grab them, and they felt in danger. They tried to get away. They were shot at and one was killed.

Another couple—a U.S. serviceman and his wife—who were witness to this event were arrested. They were taken from office to office. The serviceman was beaten badly, seriously. They were put up against the wall. His wife was put up against a wall. She was knocked around a little bit. They told her they were going to rape her. And those actions constituted the crossing of a line that had not been crossed before, in our minds.

We had seen [deleted] over the last couple of months that Noriega was growing increasingly unstable and dangerous and reckless. There was a lot of talk about arming the Dignity Battalions and paramilitary attacks and hostage-taking. And so our judgment was that the rhetoric he had used Friday, followed immediately by some very dangerous hostile actions, clearly signaled that the PDF at least, felt that the handcuffs were off as far as what they could do to Americans and this represented a fundamental and dangerous shift in the atmosphere.

Senator WARNER. Mr. Secretary, would you also add to this record the plan of possibly 200 of the Dignity forces, 250, and the time sequence of that plan and whether or not that was a factor in the President's decision? Or was it after the fact?

Mr. ARONSON. It was not a factor in the President's decision.

Senator WALLOP. Were those three events basically the factors—the declaration of the state of war and the shooting of the American officer and the beating of the Naval officer and his wife?

Mr. ARONSON. I do not want to speak for the President, but I think those, in the context of a rapidly-deteriorating situation, were very much on the President's mind when he made the decision.

Mr. ROWEN. You know, our Treaty rights were being interfered with. We have rights there that we do not have in other places, a special situation in Panama.

Senator WARNER. [Deleted.]

Mr. ARONSON. [Deleted.]

Chairman NUNN. That is, the Dignity forces?

Mr. ARONSON. That is right.

Chairman NUNN. The Dignity Battalions were expanding; that is what you are saying?

Mr. ARONSON. Yes.

Mr. KERR. I think Bernie has characterized it just right in terms of the specific incidents. I think it is very important, though, to go back and look at the context of what has happened over two and a half years and see an increasing deterioration, an increasing reliance on a smaller and smaller hard core, not even using the people in the PDF that are the people who have been in the PDF as his advisors shrinking down to a group of people that he controlled.

And I think the point that Bernie made was very important one. We had reached very close to a point where Noriega in the past had been very careful about U.S. citizens, and a direct assault on the rights in terms of the Canal. We had reached a point where it looked like there was a change and in fact a deterioration of his own control, perhaps, and an increasing kind of irrationality in terms of his own actions.

It is hard to know where you reach that point, but there had clearly been a change in either the discipline or direction.

Senator WALLOP. [Deleted.]

Mr. KERR. [Deleted.]

Admiral SHEAFER. I do not remember.

Mr. KERR. [Deleted.]

Chairman NUNN. Isn't there some indication that he is a very heavy drinker?

General KELLY. [Deleted.]

Admiral SHEAFER. And there are fairly reliable reports that his drinking has increased since October 3.

Mr. ARONSON. I would just like to add also, Mr. Chairman, that we have made many efforts, not all of which have been public, to open alternative doors to Noriega, and he had an escape route if he had ever wanted it. I do not mean a physical escape, but there was a way to resolve this that he understood.

We had meetings with his attorneys, his designated attorneys, and we made it clear to them that our principal interest was resolving the crisis in Panama and that if Noriega chose to leave in a dignified fashion and perhaps relocate in a country where the United States did not have any extradition treaties, that circumstance would govern our activities.

So it is incorrect that he did not know that if he wanted to go and live in a villa and spend his ill-begotten gains that he could not have done that. This also increased, I think, our sense of his state of mind—that some kind of a Masada complex was building, that he was going to bring it all down with him.

Senator WARNER. You saying Masada, like Israel?

Mr. ARONSON. Yes. And, unfortunately, if he had brought it all down there were 35,000 Americans living there at the time.

Chairman NUNN. I think that further strengthens that rationale. Noriega had become more and more irrational. It seems to me you make a very strong case of an increasingly irrational individual. Is that a common view that you all share?

Mr. KERR. Yes. I think that is certainly true.

I think the one other aspect we have not mentioned [deleted].

Chairman NUNN. Do we have an interagency task force set up for this?

Mr. KERR. [Deleted.]

Chairman NUNN. So you have all been working together as a team?

Mr. KERR. There is no question. We have been sitting with Bob Herves, and with Under Secretary Kimmitt and Bob Gates, [deleted].

Chairman NUNN. What do you mean, [deleted] system? [Deleted.]

Mr. ROWEN. [Deleted.]

Mr. ARONSON. [Deleted.]

Chairman NUNN. We did not have two different channels of intelligence coming with different messages, we had a circular pattern this time?

Mr. KERR. We certainly did not. We were all holding hands.

Senator WARNER. Let me just interject. Fortunately, I know each of you well enough that you will not misconstrue my point here. The tough question is as follows: You had this extraordinary plan, which indeed is a credit to all of you, and particularly the men and women who have executed these orders in the face of danger, and was worked out very carefully over a long period of time. You have all the intelligence elements working together. You see a growing pattern of an irrational, stupid man, and yet we missed him.

Our job as the interface with the public is to try and relay the positive side of this story and at the same time try to explain to the men at the bar, the good old American, my God, you went in there and you screwed up and you have not caught this joker.

Now maybe as we are speaking we are close to doing that. If I were you fellows, as you go out and start talking to the public on what a hell of an operation you had and so forth, be prepared for that response. I am just giving you a little free advice here.

Mr. ROWEN. We know that.

Mr. KERR. I think you are absolutely right. We are not trying to defend ourselves on this. [Deleted.]

Mr. ROWEN. And, of course, he was a person who had prepared himself.

Senator WARNER. I have heard he is drunk half the time. He is doing stupid things.

Mr. KERR. [Deleted.]

Senator WALLOP. I think that was one of the only real flaws I have seen in the administration's presentation.

Mr. ROWEN. General Kelly has a colorful way of characterizing Noriega, this aspect of Noriega.

General KELLY. I have a couple of ways, some of which I will not use here. He is a crafty devil. He is a cunning cur. That is a new one. But he knows how to swim in that environment down there, and he grew up in a very difficult arena.

Senator WARNER. General, again I am out on the streets where I live as a politician, and you are going to start telling the story about witchcraft. That means the loony bins. Drinking a quart a day. You know, all of a sudden people say, well, that sort of guy, how can he be crafty and cunning and do all these stupid things.

Senator WALLOP. That does not make him unique in history. [Laughter.]

General KELLY. I think he started sobering up on Tuesday.

Senator WALLOP. One of the things I would like to know is how long have we known about this witchcraft.

Mr. KERR. [Deleted.]

Senator WALLOP. Has it been sort of an increasing element?

Admiral SHAFFER. This part of his being has been around for a long, long time.

Chairman NUNN. Let me recognize Senator Warner for just a moment.

Senator WARNER. The chairman, Senator Wallop and I want to make sure, as we go out and greet our friends in the hallways that we are fairly up to real time. Have you learned anything that has developed in the last hour or two?

Mr. ARONSON. No, Senator. I have just to go accompany the Endara government's new ambassador to see the President.

Senator WARNER. As far as we know, we are up to speed on the latest developments?

Mr. ARONSON. I believe so. But this is a pretty fluid situation.

Senator WARNER. I personally commend each of you. I think it is a splendid job and it is going to reflect to the credit of all organizations.

Chairman NUNN. We will excuse Mr. Aronson. Senator Wallop, I interrupted you. I am sorry. Go ahead.

Senator WALLOP. I think that this pattern of irrationality is a very helpful argument in terms of the President and the administration and all of our justification. I really thought on the very first day—I thought at 2 o'clock in the morning when I first heard about this it was a mistake to have put as the principal purpose the capture of Noriega.

Chairman NUNN. That was the first thing I thought.

Senator WALLOP. And I thought that is the wrong order. The restoration of democracy and a lot of other things have precedence, and protection of U.S. interest. But that much was said and done. It is one of those things that is hard to pry off the top of the list.

General KELLY. Sir, it is a shame we have not gotten Noriega yet. We are trying as hard as we can.

Senator WALLOP. I think everybody understands.

General KELLY. But he is still out of work. He no longer has a payroll. He is hurting bad and he is not hurting the Panamanian people. So there at least has been that success.

Senator WALLOP. That is all great. It is a hell of a lot easier to have said that, but not said that was what our first goal was.

Chairman NUNN. Bernie is not here right now. Let me just say something I have said for 2 years, and I hope that you will go back and the State Department will get with the Justice Department—we do not have the right players here right now—but for us to indict a guy who is the head of the armed forces of another country

or the head of state, not knowing what in the hell we are going to do once we indict him is just plain stupid.

You ought to at least wait until he leaves the country, and to a country where we can extradite him. That is just machoism. It is just stupid. I think you have handled it superbly, as I view it, given the situation we were facing going into this, but we have made mistake after mistake after mistake in dealing with Noriega. [Deleted.]

In 1978 I was not told he was engaging in narcotics trafficking; I was told he was a complete thug. That was back when we had the Panama Canal Treaty. I understand the Justice Department indicted him, without coordinating with the State Department. Somehow we have to get in front of these problems, because there is no doubt about the fact the Panamanian people have suffered tremendously, and they look like they are going to continue suffering from all of this.

I want to ask about one other line of questioning here, probably to Mr. Kerr of CIA. When was the first time the CIA knew Noriega was engaged in narcotics trafficking?

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

I think that is the way to describe his involvement in drugs.

Chairman NUNN. Has the Justice Department demonstrated to you what evidence they have against him in the form of the indictment? Does CIA know that?

Mr. KERR. No, sir, we do not. We know what evidence we have. [Deleted.]

Chairman NUNN. Did they come to you and tell you before they indicted him?

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Senator WARNER. What are the date/time groups of these things?

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Mr. WALLOP. [Deleted.]

Mr. KERR. [Deleted.]

Senator WARNER. [Deleted.]

Mr. KERR. [Deleted.]

Senator WARNER. Did all that stop when the indictment came down?

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]

Senator WARNER. Mr. Chairman, if I could ask two questions of General Kelly. Historically this operation marks, I think, the initi-

ation of really two concepts in our military: one, the chain of command revisions under Goldwater-Nichols—I mean, this is the very first real test; and, second, the first real mission of the SOF forces. Would you address both as to your judgment?

Did the Goldwater-Nichols function as we envisioned it? And, second, did the SOF forces work as an integral part of the team with the other elements?

General KELLY. Last part first. I cannot address it because that is a special access program. We know those here who are cleared for that, and we would have to clear the room before I could address that.

Senator WARNER. Could you just say in your professional judgment if the SOF force concept worked as a part of this organizational structure?

General KELLY. Yes.

Chairman NUNN. Senator Warner, let me ask this. I think we should close this hearing and maybe go into more detail, and perhaps instead of skirting around clear the room at that time and let that be the final thing. I think that is one of our most important areas.

Senator WARNER. All right. Could he then address Goldwater-Nichols? You alluded to it, but I think I want my question to specifically say Goldwater-Nichols and how it operated.

General KELLY. This is the first major operation plan with which I am familiar that was developed under the new system, the new system being the chain of command from the Secretary of Defense to the Chairman, in this particular case, for the staff planning. Prior to Goldwater-Nichols, the Joint Staff did not work for the Chairman, as you know. They worked for the Joint Chiefs of Staff on what we referred to as [deleted] but the vast majority of the briefing was presented directly to the Chairman, oftentimes by the commander in the field. And he made specific recommendations to the Secretary of Defense. As a matter of fact, that is exactly the way the plan went up.

And then beyond that it was developed down in the units that executed it—in the 18th Airborne Corps primarily. The 18th Airborne Corps furnished to SOUTHCOM the field planning headquarters that enabled them to accomplish this plan. That is not very important, possibly from your perspective, but it is from ours because a CINC's headquarters is not a warfighting headquarters and really does not have a very good capability to do that kind of planning.

I think that General Thurman was insightful enough to recognize that, so that the first thing he did when he became commander was to grab Stiner and get him down there and say now you are my war planner. Let us sit down and do this, and they did. And I think we are reaping that benefit.

So I think an overall statement would be that the new structure, as a result of the Goldwater-Nichols Act, contributed directly to the success of this operation.

Senator WARNER. Could I add one thing, Mr. Chairman? Information I asked for and came to me was as follows, that the Joint Chiefs met [deleted] and then the Chief and the Secretary thereaf-

ter, on Sunday, briefed the President [deleted]. I think those facts to me are significant.

General KELLY. I was at all the briefings on Sunday.

Senator WARNER. Is that the chronology of the way it happened?

General KELLY. Yes, sir.

Chairman NUNN. General, how would it have worked under the old system compared to the way it worked here?

General KELLY. The Chiefs would have had to have met, and there would have been a vote on what do. In this particular case it might not have been any different, except for the planning that went before it, because the Chairman controlled that planning as a military officer.

Chairman NUNN. Which is enormously important in terms of what units he uses?

General KELLY. Absolutely.

Chairman NUNN. You do not have to get in and broker around with everybody having a little dink of the action and not being willing to approve it unless such-and-such unit is part of it. That is the practical side of it.

General KELLY. That is really the mountain. The rock was [deleted].

Chairman NUNN. Did you use everybody? Did all branches of service get involved here?

General KELLY. Absolutely.

Chairman NUNN. Did you need everybody?

General KELLY. Absolutely. But they were integrated into the plan in proportion to how they were needed in the plan. The largest amount of forces that went down there obviously were Army, from the 82d Airborne and the Rangers and the 7th Infantry Division. And we did not put them in there just because they were Army. They happened to be the most available to go.

We already had a Marine task force in-country. We had a Navy task force in-country. The Military Airlift Command is constituted to move the kind of troops that they moved down there. Incidentally, MAC exceeded themselves, I have just got to tell you. Every time we have ever had a crisis, like Golden Pheasant, where we sent the brigade to Honduras, MAC has exceeded themselves. They have never let us down in a crisis, and they certainly did not let us down here.

Chairman NUNN. Did you use any Guard and Reserve in MAC at this time?

General KELLY. I would have to go to MAC and ask them.

Senator WARNER. You had one out of Pennsylvania.

General KELLY. The broadcast aircraft has been down in Panama operating 24 hours a day, and that is Pennsylvania.

Chairman NUNN. General, maybe I am being too optimistic here, so rein me in, but would it be fair to say you used everyone in this case because you needed them and they fit into the plan, rather than because you had to logroll to get people's support? Is that too strong?

General KELLY. I cannot say the second part. I can agree 100 percent with the first part. Everybody was used because they were needed.

Chairman NUNN. You did not feel compelled politically to use everybody to get everybody to sign on the plan?

General KELLY. Felt no pressure whatsoever to do that, and I am the guy that did it, sir, at the staff level.

Chairman NUNN. That is the distinction, then, between now and the old system.

General KELLY. Yes, sir. It really is. We also had a lot more time to do the things we really ought to be doing.

Chairman NUNN. And you did shorten the chain of command. You were able to shorten the chain of command because of Goldwater-Nichols? It does not compel you to do it, but it allows you to?

General KELLY. I sure gave the boss the authority he needed to do that. That is the first chain of command that was recommended. When we talk about Special Operations Forces, I will address another facet of that. But that is the first one recommended that was accepted, and it was absolutely no problem. And no service or nobody interfered with or complained about it.

STATEMENT OF HON. JAMES LOCHER, ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT

Mr. LOCHER. Mr. Chairman, I think there is another dimension to talk about with respect to the Goldwater-Nichols Act, and that is the authority of the CINC, in this case General Thurman, CINCSOUTH.

As you know, the Goldwater-Nichols Act strengthened the command authority of the CINC's.

Senator WARNER. Why don't you come to the table? Mr. Locher, do you have any qualifications to talk about Goldwater-Nichols? [Laughter.]

Mr. LOCHER. Sir, I have seen a summary or two of the act.

I think that General Thurman, and I think General Kelly will agree with me, used his authorities under the Goldwater-Nichols Act to prepare his command to carry out this mission. In addition, as General Kelly mentioned, we did have a joint task force commanded by General Stiner, so we pulled everything together. It was an integrated joint operation, and a number of the provisions of the Goldwater-Nichols Act contributed to that.

Senator WARNER. Did I misunderstand General Kelly when he said the CINC had no warfighting capability or war planning capability? What was that statement? I would like to have it clarified.

General KELLY. The CINC and all CINC headquarters do not have a highly-developed tactical warfighting or planning capability. That is why you will often see joint task forces formed by CINC's, as we did in the Middle East, as we did in Panama. JTFSOUTH was commanded by General Stiner.

What the CINC has got to recognize and does is he has got to pull a tactical planner in there that has a staff who knows how to do that kind of work. That is not what a CINC's staff does.

Senator WARNER. So it is not integral to a CINC's staff? It has to be created very quickly, depending upon the contingency that we are confronting?

General KELLY. That is correct.

Senator WARNER. Is that correct? You agree with that, Mr. Locher, Secretary Locher?

Mr. LOCHER. Sir, with respect to General Thurman's command, it is not a large command and in the responsibilities it has traditionally carried out, it has not had a need for this kind of capability.

Senator WARNER. But I meant the statement to apply across the board to CINC's.

Mr. LOCHER. That generally, I think, would depend on the theater we are talking about.

General KELLY. It would apply more to SOUTHCOM than to the others, but as you take a look at the others in CENTCOM you have JTF/Middle East running the operation in the Persian Gulf. Some of the commands do not have an operational requirement. CINCLANT has CINCLANTFLT. CINCPAC has CINCPACFLT. CINCEUR has the Central Army Group.

Senator WARNER. We can look at that. I appreciate that. I do not want to take up your time on that. We can address that later, because I am sure you have a contingency plan yourself this morning.

Chairman NUNN. I would like to ask one other line of questioning here. What assets were devoted to tracking General Noriega prior to the recent invasion?

Mr. KERR. [Deleted.]

Admiral SHEAFER. [Deleted.]

What about human intelligence? How much human intelligence do we have?

Mr. KERR. On Noriega personally?

Chairman NUNN. This line is related to Noriega.

Mr. ROWEN. You mean on his movements?

Chairman NUNN. Yes.

Mr. KERR. [Deleted.]

Admiral SHEAFER. [Deleted.]

Mr. KERR. [Deleted.]

So he was beginning to do some [deleted].

Senator WARNER. Practically speaking, if he desired to leave the country does he have any helicopters under his control or any aviation assets? What are his options by which he could physically leave, and what is the likelihood he could fulfill any one of those options?

General KELLY. It is possible he could do that. We cannot give 100 percent guarantee, but we took Paitilla airfield, where he keeps most of his aircraft, and we disabled them or captured them. We took Tocumen airfield. We have under observation other airfields in the Panama City area to see if we could gain any information on him taking off.

I think the thing we control most now are the aircraft, not necessarily the airfields, of which there could be hundreds in Panama where helicopters could land or take off. But I think we could say we have a fairly high degree of assurance he is not going to get out of the country by air. But not a guarantee.

Senator WARNER. How about land or sea?

Mr. KERR. If I can, General, the only concern I would have on that is there are a lot of private aircraft. In Central America and that area are private aircraft and there are private fields, little

strips all over. And for enough money you can get a pilot to come in. So you can never close that one off.

Mr. ROWEN. He could match our $1 million reward with his own $1 million payment to somebody who will fly him out.

Senator WARNER. Give us some of the background on the concept of the reward. I am not sure this country has ever employed it as part of a military operation before. Was there some thought now or then, or in the future, of offering a reward for the American hostages? Some people think there is a dichotomy.

Mr. ROWEN. There is provision for payment leading to the arrest of people in connection with terrorism and drugs.

Senator WARNER. I am not disputing it. I am just asking for some background.

Mr. BARR. I am not sure where the genesis of the idea came from, but it came I think at the Cabinet Secretary level. They inquired as to whether or not the resources were there, and we put together a package under three statutes. The Secretary of State, under 22 USC 2708, has authority to provide for rewards, with the concurrence of the Attorney General, of up to $2 million for major narcotics trafficking activity outside the United States.

The State Department had $600,000 available of appropriated money which it could put up for that reward. The Justice Department has the assets forfeiture fund, and we have authority to provide $250,000 reward from forfeiture money.

And the third source was DEA, which also has money.

Senator WARNER. Is there any thought to extending this concept of money to the hostage situation, i.e., let's give $1 million for information relating to where American hostages are being held?

Mr. KERR. There actually is, I think, a reward system, and Bill may know better, for information on terrorist activity, and I think that would fall under that, but I am not sure.

Mr. BARR. There may be authority to do that. The statutes I am talking about are for information leading to the arrest on criminal violations.

Senator WARNER. I do not question the existence or non-existence of statutes. I am simply asking if we offer rewards for Noriega, someone who conceived that thinking of a parallel offer for information leading to the hostages.

Mr. KERR. Senator, let me pursue that with the people involved in the hostages and terrorism. I think there actually are some, but I cannot be specific about that and I will followup with you.

[The information was not provided in time before going to press.]

Chairman NUNN. May I back up here a minute and just ask a question? When we first went in, did we think we knew where Noriega was? When we planned this operation, did we believe we knew where he was?

General KELLY. We knew where he was Monday during the day. We were quite sure. We knew he was up in Colon. But along about late afternoon he began to disappear.

Admiral SHEAFER. We thought he was up in Colon, but talk about [deleted]. He ran what we now believe to be a [deleted]. The problem with his cars is all his windows are smoke windows, so you cannot see whether somebody is inside the car or not, and we do not know how he got back to the Commandancia.

Chairman NUNN. Did we have a special team of people that were supposed to go in and capture him first?

General KELLY. Sir, we would like to address that after we close the session, if we could.

Senator WARNER. Mr. Chairman, might I suggest to the Chair that this panel identify their subordinates who are working equally as hard so that the record reflects and we pay our respects to them? I know the Major has been in all our briefings and is a repository of a great deal of information.

General KELLY. Maj. Ray Menyk, with the J-3, and we are very proud of him. He is a great American, a great soldier and former member of the 82d Airborne.

Senator WARNER. Anyone in the back row there?

Mr. ROWEN. This is Jack Deal, who is from the General Counsel's office in the Department of Defense, and this is Mr. Barr from the Justice Department, the legal counsel of the Justice Department.

Mr. MATHESON. I am Mike Matheson with the State Department legal office.

Mr. ROWEN. And Rich Brown, who heads the Office of Inter-American Affairs in my office, in the Office of the Secretary of Defense.

Chairman NUNN. I did not know we had State and Justice here.

Senator WARNER. And Mr. Carter, Mr. Chairman.

Mr. ROWEN. What was the question?

Chairman NUNN. I was going to ask the State Department, before Noriega was indicted, if Justice had coordinated that with State.

Mr. MATHESON. I do not know the circumstances. I was sort of hoping you would treat that as past history today, but if you like, I can inquire.

[The information was not provided at time of printing.]

Chairman NUNN. It has had a principal effect for 2½ years. I hope the people at Justice understand the chain of events that it sets in motion when you take action without understanding what you are going to do next.

Senator WALLOP. We might not have had to do this.

Chairman NUNN. In all likelihood, we could have waited until he left the country and arrested him and had him over here without a war and without bleeding the Panamanian economy and without just devastating the Panamanian people. I just hope the Justice Department will think through the necessity of considering something in a broader context when you are about to indict a head of state or the head of the military, even if he is a thug.

The question is whether you do it in an intelligent way or not. Mr. Barr, would you mind taking that message back?

Mr. BARR. I would be glad to take it back. I think we have taken steps with this administration to coordinate much more closely with the National Security Council and various member departments.

Chairman NUNN. It makes you feel good when you do it. It is great for a young prosecutor to indict somebody. But we have 20 Americans dead now, and we have thousands of people wounded, civilians, the economy devastated and so forth. I think that was

justified under these circumstances, but these circumstances did not necessarily have to happen in this way.

We are going to have to start being a little smarter about how we do things.

I have a few questions, Senator Warner. Do you have any other questions before we go into a closed, closed session? Senator Wallop?

Senator WALLOP. No, I am fine. Thank you.

Chairman NUNN. May I have a couple of questions here. We are going to get into special operations.

Did the Air Force provide any tactical fighter support during the operation?

General KELLY. Yes, Sir.

Chairman NUNN. What kind of missions were flown?

General KELLY. Two airplanes, one mission, F-117s dropped bombs in the vicinity of Rio Hato, offset from the personnel there to stun them more than to kill them.

Senator WARNER. Mr. Chairman, would you identify that as the Stealth fighter?

General KELLY. Yes, sir.

Senator WARNER. That is the first operation it has been used in?

General KELLY. Yes, sir.

Chairman NUNN. Tell us, General, how you used it and give us a little more detail? Where did it fly from? Where was it based and how did it go?

General KELLY. [Deleted].

Chairman NUNN. Did it have in-air refueling?

General KELLY. Yes, sir, it did.

Senator WALLOP. One?

General KELLY. [Deleted].

Chairman NUNN. Did it go against enemy radar?

Admiral SHEAFER. [Deleted.]

Chairman NUNN. Why did you use that aircraft?

General KELLY. Because it was most optimized for a night attack. It is the most accurate weapons system we have to do that. The CEP for the particular bomb used was [deleted].

Chairman NUNN. So you did not use it because of the stealth characteristics necessarily?

General KELLY. No, sir. [Deleted.]

Chairman NUNN. Give us a little more description of that. We focus so much on the Stealth we have not focused as much on that. What does it do that other aircraft do not?

General KELLY. Hits the target. [Laughter.]

Chairman NUNN. I think we will let the Air Force fill in for the record on that one.

General KELLY. [Deleted.]

Chairman NUNN. Because of the weapon delivery systems?

General KELLY. Yes, sir.

Chairman NUNN. How do you describe that weapon delivery?

General KELLY. I am not an expert on it, but it is, I believe, [deleted].

Mr. HAMRE. It is a [deleted].

General KELLY. It has a [deleted]. It just works awful good.

Chairman NUNN. Mr. Hamre, maybe you can answer this question. [Deleted.]

Mr. HAMRE. [Deleted.] They are used in nighttime operations all the time.

Chairman NUNN. And other aircraft could not do this when there is no radar?

Mr. HAMRE. An F–16 could do this mission [deleted] but it does not routinely train at night and it is not a stealth airplane. You never know for sure when you are going to get hit by radar. This is the most secure airplane for that.

Chairman NUNN. How many did you use?

General KELLY. Two, sir.

chairman NUNN. Did they do the job?

General KELLY. Yes, sir, did it well. Remember, we were not trying to hit the target. We were trying to offset from the target to stun the individuals in those two barracks—the 6th and 7th Companies. That worked fine.

As I said, the firefight was intense but short—took 350 prisoners and a great number of weapons.

Senator WALLOP. Were they stunned?

General KELLY. Yes, sir, they were. They woke up rather abruptly. The bombs weigh 2,000 pounds each.

Chairman NUNN. Are you going to release any information on this, the use of this aircraft?

General KELLY. I am not. Maybe my bosses are.

Chairman NUNN. I just wondered. We should treat that as being sensitive at this point.

General KELLY. I would recommend you do, sir.

Chairman NUNN. I would think whatever is released on that needs to be done in a careful, thoughtful way.

General KELLY. We have not talked about it at all publicly.

Chairman NUNN. Well, I would ask everyone here to respect that.

Are there any other points before we go into this closed, closed session, when some people will leave, that we should be very sensitive about that you all can think of off the top of your head?

Obviously an awful lot of this is out in the media and a lot more is going to be out there, and we are going to have to say some things. Mr. Rowen, can you or Mr. Kerr tell us anything you think we ought to be particularly sensitive about?

Mr. KERR. [Deleted.]

Mr. ROWEN. This is an ongoing operation, of course. We are in other parts of the world.

Mr. KERR. [Deleted.]

Admiral SHEAFER. And any mention, sir, of the individuals who are beginning to turn themselves in, that is very sensitive because if we are going to reconstitute the PDF we do not want some of these people.

Chairman NUNN. There would not be anything wrong with saying we hope some of them will turn themselves in, would there?

Admiral SHEAFER. No, sir.

Chairman NUNN. Without being specific.

Mr. KERR. [Deleted.]

Chairman NUNN. [Deleted.]

Mr. KERR. [Deleted.]
Chairman NUNN. [Deleted.]
Mr. KERR. [Deleted.]
Chairman NUNN. [Deleted.]
Mr. KERR. [Deleted.]
Chairman NUNN. Have you coordinated that with DEA and Customs?
Mr. KERR. We are working that problem as carefully as we can. [Deleted.]
Chairman NUNN. [Deleted.]
Mr. KERR. [Deleted.]
Chairman NUNN. Well, we will go into closed, closed session here.
[Whereupon, at 11:25 a.m. the committee proceeded into executive session at the Top Secret/Codeword/Special Access level.]

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